fourth of said three hundred and twenty acres being owned and belonging to the heirs of James Trigg, deceased.

Item 15th. I give and bequeath to my son, William W. Trigg, my residence known as "Walnut Hall," with the land attached thereto, containing about 80 acres, more or less, with all the improvements thereon and bounded as follows, viz: East by plank fence commencing at McLemore avenue, running south about four hundred and forty yards to a plank fence, thence west to Latham avenue, thence north to McLemore avenue, and thence east on McLemore avenue to the beginning, also the negroes belonging to the Walnut Hall place.

Item 16th. I give and bequeath to my son, William W. Trigg, all the household and kitchen furniture, of every description, belonging to Walnut Hall. Also all the stock of every kind, mules, horses, cows, hogs &c., except my carriage horses and my riding horse.

Item 17th. I also give to my son, William W. Trigg, my plantation in Tipton County, Tennessee, containing thirteen hun-
710 dred acres, more or less, and I also give and bequeath to him all the negroes on said plantation, now ninety in number, more or less, and also the mules, horses, cattle, sheep, hogs, plantation utensils etc.

Item 18th. I give and bequeath to my nephew, John Henry Trigg, three hundred and twenty acres of land lying in Crittenden County, Arkansas, and south of the Memphis and Little Rock Railroad, and adjoining the land of H. R. Austin, Esq.

Item 19th. I give and bequeath to my grandson, John Trigg, Jr., the son of Thomas B. Trigg, three hundred and twenty acres of land in Crittenden County, Arkansas, and to join the land given to my nephew, John Henry Trigg.

20th. I give and bequeath to my grandson, John Trigg Stockley, three hundred and twenty acres of land in Crittenden County, Arkansas and to Join the eleven hundred acres (more or less) I have heretofore deeded to my wife Martha Trigg.

Item 21st. I give and bequeath to my son-in-law, Henry G. Walker, my riding horse named Bird.

Item 22nd. It is my wish and desire that my faithful servant, Nat, shall be allowed the privilege of selecting out of my following named heirs, viz: Thomas B. Trigg, Lucy Jane Stockley, Henry C. Walker and Lizzie, his wife, James B. Trigg and William W. Trigg, the one he chooses to be his master and whoever he chooses of the said names shall own him for life.

Item 23. All the property, real and personal, that I may
711 own at my death and which I have not given specially to my five children by this will, I give and bequeath to Thomas B. Trigg, Lucy Jane Stockley, Henry C. Walker and Lizzie, his wife, James B. Trigg and William W. Trigg, to be equally divided between them.

Item 24th. I will and bequeath my son-in-law Henry C. Walker and Lizzie, his wife, all the remaining lands and all the interest I may have in my lands or town lots in Crittenden County, Arkansas, after the bequests I have made in this will.

Item 25th. It is my will and desire that all my just debts should be paid by my executors as soon as possible.

Item 26th. I hereby appoint Henry C. Walker and Thomas A. Nelson my executors to carry out this will, and I request and desire that the court shall not require them to give any bond or security, as I have full confidence in them.

Given under my hand this, the tenth day of June, A. D., eighteen hundred and sixty-one. J. Trigg. Test: E. McDavitt. C. Kortrecht. D. A. Shepherd.

STATE OF TENNESSEE,
Shelby County:

I, Garland P. Ware, Clerk of the County Court of said county, certify that the foregoing is a correct copy of the will of
712 John Trigg, dec'd, the original will being on file in my office. G. P. Ware, Clerk, by J. Weaver, D. C.

STATE OF TENNESSEE,
Shelby County, ss:

I, R. A. Speed, Clerk of the County and Probate Court of said county, do hereby certify that the foregoing 12 pages contain a full, true and perfect copy of the last will and testament of John Trigg, deceased, as the same appears of record in Will Record 4, pp. 121, &c., now on file in my office. In testimony whereof I have hereunto set my hand and affixed the seal of said court, at office, in the City of Memphis, this 26th day of Oct., 1901. R. A. Speed, Clerk, by A. S. Cunningham, D. C. [L. S.]

(Copied from Record, Cissna v. Tenn., p. 119-122.)

713 EXHIBIT No. 3.

(Filed on Behalf of Tennessee.)

Chancery Court.

Decree Vesting Title in Sledge, McKay & Co.

Filed 31st of March and Registered April 2d, 1881.

Chancery Court of Shelby County.

STATE OF TENNESSEE,
Shelby County:

Please Before the Honorable W. W. McDowell, Chancellor of the Chancery Court of Shelby County, Held in Memphis and State and County Aforesaid and at the October Term Thereof, 1879.

Be it remembered, that heretofore, to wit: December 4th, 1879, a decree was entered in a certain cause in the words and figures following, viz:

T. A. NELSON, Ex't'r,

vs.

M. L. TRIGG et al.

N. R.

On this 4th day of December, 1879, before the Honorable W. W. McDowell, Chancellor presiding, it appears from the report of the Master filed herein on July 10th, 1879, that Sledge McKay & Co., a mercantile partnership purchased the two tracts of land in Tipton County, State of Tennessee, one containing 33.75 acres and
714 the other 305.75 acres, belonging to the estate of John Trigg, deceased, sold under the former decrees of this court herein described as follows: (6) Portions of a certain tract of about 1,300 acres of land situated in Tipton County, Tenn., which has been surveyed by C. C. Burke, who reports that the Centennial cut-off has placed nearly 1,000 acres under the X of the Mississippi River and which is in Range 9, Sec. 5 on said river, the said cut-off leaving 33.75 acres on the main land and 305.75 acres on the island. (*a*) The tract containing 33.75 acres begins at a stake on the bank of the Mississippi river, thence down said river with its meanders north 75 degrees west 16 chains, north 76½ degrees west 32 chains, south 50½ degrees west 3 chains and 8 links, south 43 degrees, west 11 chains and 50 links, thence east 56 chains and 80 links to the point of beginning, all open land &c.

(B) The tract containing 305.75 acres begins at a stake on the bank of the Mississippi River on Centennial cut-off at the dividing

line between C. A. Stockley's and John Trigg's land, thence north 97 chains and 14 links to a small cottonwood marked T. on the bank of old river, thence up old river south 71 degrees, east 11 chains, south 50 degrees east 13 chains, south 40½ degrees east 12 chains, south 22 degrees east 17, south 10 degrees east 7 chains and 60 links, south 9 degrees east 9 chains, south 18½ degrees east 9 chains, south 7 degrees east 2 chains, south 12 degrees east 6 chains and 44 links, south 30 degrees east 6 chains, south 7½
715 degrees west 6 chains and south 28½ degrees east 5 chains and 29 links, south 3 degrees east 5 chains and 30 links to a point of entrance of Centennial cut-off, thence down said cut-off north 86¾ degrees west 8 chains, south 83 degrees west 8 chains, north 85 degrees west 9 chains, south 84¾ degrees west 11 chains and 60 links, south 69 degrees west 5 chains and 13 links, south 69½ degrees, west 9 chains and 30 links to the point of beginning, of which there is 175 acres open land and in cultivation, with 8 tenant-houses fencing moderately good &c. Has complied with the terms of the sale by the payment of the purchase to the Master. It is ordered and decreed that all the right, title and interest of the parties to this suit in said tracts of land be and the same is hereby divested out of them and vested in the said partnership of Sledge, McKay & Co. The Master will furnish a certified copy of this decree for registration to said partnership on the payment of the fee therefor.

STATE OF TENNESSEE,
Shelby County:

I, Robert J. Black, Clerk and Master of the Chancery Court of Shelby County, do hereby certify that the foregoing 4½ pages comprise a full, true and perfect copy of decree vesting title had in a certain cause lately pending herein, wherein Thomas A. Nelson, Ex't'r, is complainant, and M. L. Trigg, et. al. are defendants, as the same appears of record in my office M. B. 25, 345.
716 In witness whereof, I hereunto set my hand and affix the seal of said court at office in Memphis, this 25th day of March, A. D. 1881. R. J. Black, Clerk and Master. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, April 2d, 1881.

I, J. N. Harris, Register of said county, do certify that the within decree and plat was filed in my office at 9:10 o'clock A. M. on the 31st day of March, 1881, and entered for registration in Entry Book C, page 30, and together with this and the foregoing certificates is this day duly registered in Deed Book 29, pages 179, 180, 181 and 182. J. N. Harris, Register.

Copied from the entry of the original decree recorded in Deed Book 29, pages 179, 180, 181 and 182, in the office of the Register of Tipton County, Tennessee, November 23rd, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 29, page 179, et. seq. I. R. Calhoun, Register.

(Cissna vs. Tenn., pp. 123-125.)

717 EXHIBIT No. 4.

(Filed by Tennessee.)

Heirs and Executors of N. R. Sledge

to

A. N. McKay.

Deed, 2 *Tracts.*

Filed 27th July and Registered Aug. 24th, 1883.

Whereas, A. N. McKay, surviving partner of the late firm of Sledge, McKay & Co., and Norfleet R. Sledge, Jr., William D. Sledge, Oliver D. Sledge and Catharine E. Sledge, executors of the last will and testament of Norfleet R. Sledge, Sr., a deceased partner of said firm, and William M. Sledge, Jr., and Caroline V. Sledge, heirs at law and widow of William M. Sledge, Sr., another deceased partner of said firm, having made a settlement of the business of said partnership firm and division of the real estate belonging to it:

Now in order to carry out and effectuate their said agreement in part witnesseth: That the said Norfleet R. Sledge, Jr., William D. Sledge, Oliver D. Sledge and Catharine E. Sledge, executors of the last will and testament of said Norfleet R. Sledge, deceased, and the said William M. Sledge and Caroline D. Sledge heirs at laws and widow of said deceased partner, William M. Sledge, for and in consideration of the premises, and of the sum of one dollar to them in hand paid by said A. N. McKay, *due* (?) hereby release, relinquish, convey and forever quit claim of, in and to the following described two tracts of land in Tipton County, State of Tennessee; One containing 33 75/100 acres, more or less, and the other 305

718 75/100 acres, more or less, formerly belonging to the estate of John Trigg, dec'd, sold under decree of Chancery Court of Shelby County, Tenn., in the case of T. A. Nelson, Extr., vs. M. L. Trigg, et al., No. 775, N. R. D. Partitions of a certain tract of about 1,300 acres of land which by the survey of C. C. Burke, County Surveyor of Shelby County (which survey is attached to decree and here referred to for particular description) is reported to have about 1,000 acres thereof cut off by the Mississippi under the bed of said river, and which is in Range 9, section 5 of said river, the said cut-off leav-

ing 33 75/100 acres on the main land and 305 75/100 acres on the island made thereby. The said tract of 33 75/100 acres beginning at a stake on the bank of the Mississippi river, thence down said river with its meanders north 75 degrees, west 16 chains, north 76½ degrees west, west 32 chains, south 50½ degrees, west 3 chains and 8 links, south 43 degrees, west 11 chains and 50 links, thence east 56 chains and 80 links to the point of beginning, all open land. The said 305 75/100 acres tract begins at a stake on the bank of the Mississippi river on Centennial cut-off at the dividing line between C. A. Stockley and John Trigg's land, thence north 97 chains and 14 links to a small cottonwood marked "T" on the bank of old river, thence up old river south 71 decrees east 11 chains, thence south 50 degrees east 13 chains, thence south 40½ degrees east 12 chains; thence south 22 degrees east 17 chains; thence south 10 degrees, east 7 chains 60 links; thence south 9 degrees, east 9 chains,
719 south 18½ degrees, east 9 chains; thence south 7 degrees, east 2 chains; thence south 12 degrees, east 6 chains and 44 links; thence south 30 degrees, east 6 chains; thence south 7½ degrees, west 6 chains; thence south 28½ degrees, east 5 chains and 29 links; thence south 3 degrees, east 5 chains and 30 links to the point or En. of Centennial cut-off; thence down said cut-off north 86¾ degrees, west 8 chains; thence south 83 degrees, west 8 chains; thence north 85 degrees, west 9 chains, thence south 84¾ degrees, west 11 chains and 60 links, thence south 69 degrees, west 5 chains 13 links; thence south 69½ degrees, west 9 chains and 30 links to the point of beginning. To have and to hold the same with the appurtenances to the said A. N. McKay, his heirs or alienees fully and forever free and quiet from the right, title, interest, claim and demand of said firm of Sledge, McKay & Co., and the individual members thereof and their heirs, and all and every person claiming by, through or under them, or either of them. Save and except a lien is hereby declared and reserved on said foregoing described lands to secure the payment of a promissory note of said A. N. McKay for the sum of seventeen hundred eighty-five and 36-100 dollars of even date herewith, payable to the order of N. R. Sledge, W. D. Sledge, O. D. Sledge and Catharine E. Sledge, executors on 1st Jany., 1884.

Witness our signatures and seals as executors of Norfleet R. Sledge, dec'd, and as heirs at law and widow of William M. Sledge,
720 dec'd, this 20th July, 1883. N. R. Sledge (Seal), O. D. Sledge (Seal), C. E. Sledge (Seal), W. D. Sledge (Seal), Executors of N. R. Sledge, Deceased. Wm. M. Sledge (Seal), Caroline V. Sledge (Seal), Heirs at Law and Widow of Wm. M. Sledge, Decd.

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, James E. Temple, a Notary Public, duly appointed, qualified and commissioned according to law in and for said county of Shelby and State of Tennessee, Norfleet

R. Sledge, Oliver D. Sledge, William D. Sledge, Catharine E. Sledge, William M. Sledge and Caroline V. Sledge, the within named bargainors, with each of whom I am personally acquainted, and who acknowledged respectively, that they and each of them executed the within and hereto attached deed or instrument of writing for the purposes therein contained.

In witness whereof, I have hereunto subscribed my name and affixed my Notarial Seal at Memphis, this the 23rd day of July, A. D. 1883. James E. Temple, Notary Public of Shelby County, Tenn. (L. S.)

721 STATE OF TENNESSEE,
Tipton County:

Register's Office, Aug. 24th, 1883.

I, J. N. Harris, Register of said county, do certify that the foregoing deed was filed in my office at 1.30 o'clock P. M. on the 27th day of July, 1883, and entered for registration in Entry Book C, page 107, and together with this and the above certificate is this day duly registered in Deed Book 32, page- 41, 42 and 43. J. N. Harris, Register.

Copied from the entry of the original deed recorded in Deed Book 32 on page- 41, 42, 43 in the office of the Register of Tipton County, Tennessee. Oct. 22d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 7, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is true and correct copy of the instrument now of record in my office in Deed Book 32, page 41 et. seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., pp. 125-128.)

722 EXHIBIT No. 5.

(Filed on Behalf of Tennessee.)

Wm. H. Carroll and Wife et al.
to
Thos. H. Allen, Jr.

Deed, 2 *Tracts.*

Filed and Registered January 23rd, 1888.

Know all men by these presents, that we, Mattie McKay Carroll and her husband, William H. Carroll, Ramelle Vanvleet and her

husband, P. P. Vanvleet, and Rebecca McKay, as heirs at law devisees under the will of A. N. McKay, and executors, all of Shelby County, Tennessee, for and in consideration of $9,705.00, one fourth cash in hand paid by Thos. H. Allen, Jr., and three notes in equal amounts made by the firm of Thos. H. Allen & Co. payable respectifuly (?) 1, 2 and 3 years from date, with six per cent interest, have this day bargained and sold unto the said Thos. H. Allen, Jr., that farm in Centennial Island called the McKay place, which embraces the following tracts of land in Tipton County, State of Tennessee, one containing 33.75 acres, more or less, and the other 305.75 acres, more or less, and all accretions thereto as follows: Portions of accretion tract of about 1,300 acres of land situated in Tipton County, Tenn., which has been surveyed by C. C. Burke (who reports that the Centennial cut-off has placed nearly 1,000 acres under the bed of the Mississippi River), and which is range 9, section 5 on said river, the said cut-off leaving 33.75
723 acres of the mainland and 305.75 acres on the island. The tract containing 33.75 acres, more or less, begins at a stake on the bank of the Mississippi River, thence down said river with its meanders north 75 degrees, west 16 chains, north 76½ degrees, west 32 chains, south 50½ degrees, west 3 chains and 8 links, south 43 degrees, west 11 chains and 50 links; thence east 56 chains and 80 links to the point of beginning, all open land, etc. The tract containing 305.75 acres, more or less, begins at a stake on the bank of the Mississippi River or Centennial cut-off at the dividing line between C. A. Stockley's and John Trigg's land; thence north 97 chains and 14 links to a small cottonwood marked "T" on the bank of the old river; thence up the old river south 71 degrees, east 1 chain, south 50 degrees, east 13 chains, south 40½ degrees, east 12 chains, south 22 degrees, east 17 chains, south 10 degrees, east 7 chains and 60 links, south 9 degrees, east 9 chains, south 18½ degrees, east 9 chains, south 7 degrees, east 2 chains, south 12 degrees, east 6 chains and 44 links and south 30 degrees, east 6 chains and 29 links, south 3 degrees, east 5 chains and 30 links to the point or entrance of Centennial cut-off; thence down said cut-off north 86¾ degrees, west 8 chains, south 83 degrees, west 8 chains, north 85 degrees, west 9 chains, south 84¾ degrees, west 11 chains and 60 links, south 69 degrees, west 5 chains and 13 links, south 69½ degrees, west 9 chains and 30 links to the point of beginning on which there *is* about 175 acres of open land and in cultivation.

To have and to hold the same together with all and singu-
724 lar the rights and emoluments and hereditaments thereto appertaining to him, the said Thos. H. Allen, Jr., his heirs and assigns forever.

And the said Mattie McKay Carroll, Wm. H. Carroll, Ramelle Vanvleet, P. P. Vanvleet and Rebecca McKay, for themselves, their heirs and representatives, do covenant and agree to and with the said Thos. H. Allen, Jr., that they are lawfully seized in fee of said bargained premises; that they have a good right to sell and convey the same; that they are unencumbered and the title thereto and to every

part thereof they will forever warrant and defend to him, the said Thos. H. Allen, Jr., his heirs and assigns forever, against the lawful claims and demands of all persons and all parties hereto, do hereby assign and transfer to whomsoever for the consideration above recited, to-wit: $9,705., the accounts and notes due from the persons now tenants on the said lots or parcels of land to the estate of the late Maj. A. N. McKay and to them as the personal representatives and legatees thereof, which said accounts are fully set forth on schedule hereto annexed and with said accounts and notes do transfer all the personal property, the title to which is in them, and all liens which they hold to secure the payment of them, on the crops gathered and to be gathered, including corn on said plantation guaranteed to be 1,200 bushels at 60 cents per bushel; all cotton seed guaranteed to be 35 tons at $10.00 per ton, and the cotton baled and unbaled of the guaranteed valuation $1,530.00.
And in the event the true valuations of them exceed the
725 above stated guaranteed valuation, the excess thereof is to be paid by Thos. H. Allen, Jr., but in the event of not reaching the guaranteed valuations or either of them, the deficit or deficits shall be paid in cash to the said Thos. H. Allen, Jr., by the parties of the first part or if presently ascertained then retained out of the cash payment.

In witness whereof the said parties have hereunto set their hands at Memphis, Tennessee, this 2nd day of Jan., 1888. William H. Carroll. Rebecca McKay. Mattie McKay Carroll. Ramelle Van Vleete. P. P. Van Vleete.

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, Hundson Cary, a notary Public in and for said state and county, at Memphis, duly commissioned and qualified, Mattie McKay Carroll and Wm. H. Carroll, her husband; Ramelle Van Vleete and P. P. Van Vleete, her husband, and Rebecca McKay, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained, and the said Mattie McKay Carroll, wife of said Wm. H. Carroll, and Ramelle Van Vleete, wife of said P. P. Van Vleete, having appeared before me, privately and apart from their husbands, the said Mattie McKay Carroll and Ramelle Van Vleete, acknowledged the execution of the said deed to have been done by them freely, vol-
726 untarily and understandingly, without compulsion or constraint from their said husbands, and for the purposes therein expressed.

Witness my hand and notarial seal, at Memphis aforesaid, this 19th day of January, 1888. Hundson Cary, Notary Public. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, January 23, 1888.

I, M. A. Misenheimer, register of said county, do hereby certify that the within deed was filed in my office at 8:10 o'clock a. m. on the 23rd day of January, 1888, and entered for registration in entry Book D, page 57, and together with this and the above certificate is this day duly registered in Deed Book 38, page 328. M. A. Misenheimer, Register.

Copied from the entry of the original deed recorded in Deed Book 38, pages 328, 329 and 330, in the office of Register of Tipton County, Tennessee. October 26, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, December 2, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is true and correct copy of this instrument now of record in my office, in Deed Book 32, page 41 et seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., pp. 131-133.)

727 EXHIBIT No. 6.

(Filed on Behalf of Tennessee.)

Thos. H. Allen and Wife

to

H. W. Stockley.

Deed, 2 Tracts.

Filed 23d and Registered 24th January, 1888.

This indenture made this 2d day of January, 1888, between Thos. H. Allen, Jr., Floy G. Allen, of the county of Shelby, state of Tennessee, of the one part, and H. W. Stockley, of the county of Tipton and state of Tennessee, of the other part, Witnesseth: That the said Thos. H. Allen, Jr., and Floy G. Allen for and in consideration of the nine thousand and eighty-three 40/100 dollars, payable as follows: One thousand dollars 00/100 cash, the balance in four notes due respectively one, two, three and four years after date, for two thousand and twenty 85/100 dollars, each dated at Memphis, Tenn., Jan. 2d, 1888, bearing interest after maturity, signed by H. W. Stockley and payable to Thos. H. Allen & Co., to them in hand paid

by H. W. Stockley, the receipt whereof is hereby acknowledged hereby sells and conveys unto the said H. W. Stockley, his heirs, and assigns forever that certain tract of land or farm, on Centennial Island called, the McKay place, which embraces the following tracts of land in Tipton County, state of Tennessee, one containing 33.75 acres, more or less, and all accretions thereto as follows: Por-
728 tions of a certain tract of about 1,300 acres of land situated in Tipton county, Tennessee, which has been surveyed by C. C. Burke (who reported that the Centennial cut-off has placed nearly 1,000 acres under the bed of the Mississippi river), and which is in range 9, section 5, on the said river, the said cut-off leaving 33 75/100 acres on the main land and 305 75/100 acres on the island. The tract containing 33 75/100 acres, more or less, Begins at a stake on the bank of the Mississippi river, thence down said river with its meanders north 75 degrees west 16 chains, north 76½ degrees west 32 chains, south 50½ degrees west 3 chains and 8 links, south 43 degrees west 11 chains and 50 links, east 56 chains and 80 links to the point of beginning, all open land, more or less. The tract containing 305 75/100 acres, more or less. Begins at a stake on the bank of the Mississippi river on Centennial cut-off at the dividing line between C. A. Stockley and John Trigg's land, thence north 97 chains and 14 links to a small cottonwood marked T. on the bank of the old river; thence up old river south 71 degrees east 11 chains, south 50 degrees east 13 chains, south 40½ degrees east 12 chains, south 22 degrees east 17 chains, south 10 degrees east 7 chains and 60 links, south 9 degrees east 9 chains, south 18½ degrees and 9 chains, south 7 degrees east 2 chains, south 12 degrees east 6 chains and 44 links, south 30 degrees east 6 chains, south 7½ degrees west 6 chains, south 28½ east 5 chains and 29 links, south 3 degrees east 5 chains and 30 links, to the point of entrance of Centennial cut-off then down said cut-off north 86¾ degrees west 8 chains, south 83
729 degrees west 8 chains, north 85 degrees west 9 chains, south 84¾ degrees west 11 chains and 60 links, south 69 degrees west 5 chains and 13 links, south 69½ degrees west 9 chains and 30 links to the point of beginning, of which there is about 175 acres open land and in cultivation. A specific lien is hereby expressly reserved upon the land hereinbefore conveyed to secure the payment of the notes for purchase money as above set out and in case of failure of second party to pay any one of said notes or any part of same at maturity, then all of the unmatured notes shall become due and payable at once, for the purpose of enforcing this lien. To have and to hold the same together with all and singular the rights, emoluments and hereditaments thereto appertaining to him, the said H. W. Stockley, his heirs and assigns forever and the said Thos. H. Allen, Jr., and Floy G. Allen for themselves, their heirs and representatives do covenant and agree to and with the said H. W. Stockley that they are lawfully seized in fee of said bargained premises; that they have a good right to sell and convey the same; that they are unencumbered and that the title thereto and to every part thereof they will forever warrant and defend to him, the said H. W. Stockley, his heirs and assigns forever, against the lawful claims and demands of

all persons claiming same through or under them, but it is understood that the said Thos. H. Allen, Jr., and Floy G. Allen, does not make any further warrants.

In testimony whereof, the said Thos. H. Allen, Jr., and
730 Floy G. Allen, have hereunto set their hands and seals at Memphis, Tennessee, this 2d day of January, 1888. Thos. H. Allen, Jr. (Seal.) Floy G. Allen. (Seal.)

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, Hundson Cary, a notary public in and for said state and county, at Memphis, duly commissioned and qualified, Thos. H. Allen, Jr., and Floy G. Allen, his wife, the within named bargainors, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained. And the said Floy G. Allen, wife of the said Thos. H. Allen, Jr., after having appeared before me privately and apart from her husband, the said Floy G. Allen acknowledged the execution of the said deed to have been done by her freely, voluntarily and understandingly, without compulsion or constraint from her said husband and for the purposes therein expressed.

Witness my hand and notarial seal, at Memphis aforesaid, this 20th day of January, 1888. Hunsdon Cary, Notary Public. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, January 24, 1888.

I, M. A. Misenheimer, Register of said county, do certify that the within deed was filed in my office at 8:10 o'clock a. m.,
731 on the 23 day of January, 1888, and entered for registration in entry Book D, page 57, and, together with this and the above certificate, is this day duly registered in Deed Book 38, page 331. M. A. Misenheimer, Register.

Copied from the entry of the original deed recorded in Deed Book 38, pages 331, 332 and 333, in the office of the register of Tipton County, Tennessee. November 6th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, December 2d, 1901.

I, I. R. Calhoun, register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 38, page 331, et seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., pp. 134-136.)

732 EXHIBIT No. 7.

(Filed on Behalf of Tennessee.)

Narcissa E. Trigg et, al.,

to

H. W. Stockley.

Deed, 1,500 *Acres.*

Filed 2 and Registered 15 March, 1897.

Know all men by these presents, that we, Mrs. Narcissa E. Trigg, Lizzie T. Shelton, and her husband, S. C. Shelton, all of the county of Tipton, state of Tennessee, and William W. Trigg, of the county of Shelby, state of Tennessee, being all of the heirs of W. W. Trigg, deceased, Mrs. Narcissa E. Trigg, being his widow, and Mrs. Lizzie T. Shelton and Wm. W. Trigg, being his only surviving children, for and in consideration of the sum of one hundred and fifty dollars to us in hand paid by H. W. Stockley, of the County of Tipton, and State of Tennessee, do hereby bargain, sell, release, remise, quit claim and convey unto the said H. W. Stockley, all our right, title and interest in and to the following described lots and parcels of land, to-wit: That tract or parcel of land containing about fifteen hundred (1,500) acres, more or less, conveyed to John Trigg by Simon Huddleston by deed, dated March 13th, 1837, and recorded on pages 221 and 222, in Book Y in the office of the Register of Tipton county, Tennessee, to which reference is hereby made for a fuller description, and devised by the said John Trigg to his son, W. W. Trigg, deceased, the husband and ancestor of the grantors herein as aforesaid, and which tract of land is more particularly
733 described as follows: Beginning at a willow marked S. S. Stephen Slades' northeast corner on the bank of the Mississippi river; thence south with his line one hundred and fourteen (114) chains to a mulberry marked S. H.; thence east two hundred chains to a mulberry marked S. H.; thence north seventy-eight (78) chains to a white oak marked S. H. on the bank of the Mississippi River; thence down with the meanders of said river to the beginning; together with all the accretions thereto which now exist or may hereafter be formed by the waters of the Mississippi River, all situated, lying and being in Tipton County, Tennessee, on the Mississippi River, in the eleventh (11th) district, range nine (9), sections (5) and (6). To have and to hold the aforesaid land with all and singular the hereditaments and appurtenances of and to the same belonging, or in any wise appertaining, to the said H. W. Stockley, his heirs and assigns in fee simple forever. And we will warrant and forever defend the afore granted land against the lawful claims of all persons whomsoever, claiming same by, through or under us, but not against the claims of any other persons.

In testimony whereof we have hereunto set our hands on this the 1st day of March, 1897. W. W. Trigg. Narcissa E. Trigg. S. C. Shelton. Lizzie T. Shelton.

734 STATE OF TENNESSEE,
Tipton County:

Personally appeared before me, R. W. Sanford, notary public for said county, duly commissioned, qualified and acting, W. W. Trigg, Narcissa E. Trigg, S. C. Shelton and Lizzie T. Shelton, the within named bargainors, with whom I am personally acquainted and who acknowledge that they executed the within instrument for the purposes therein contained, and Lizzie T. Shelton, wife of the said S. C. Shelton, having appeared before me privately and apart from her husband, the said Lizzie T. Shelton acknowledged the execution of the said deed to have been done by her freely, voluntarily and understandingly, without compulsion or constraint from said husband, and for the purposes therein expressed.

Witness my hand and seal at office, this the 1st day of March, 1897. R. W. Stanford, Notary Public. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, March 15, 1897.

I —— Misenheimer, register of said county, do certify that the foregoing instrument was filed in my office at 7:45 o'clock a. m., on the 2d day of March, 1897, and entered for registration in Entry Book F, page 73, and together with this and the above certificate is this day duly registered in Deed Book 55, page 441. M. A. Misenheimer, Register.

735 Copied from the entry of the original deed recorded in Deed Book 55, pages 441, 442 and 443, in the office of the Register of Tipton county, Tennessee. Nov. 7th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, December 2, 1901.

I, I. R. Calhoun, register of Tipton County, do certify that the above and foregoing is true and correct copy of the instrument now of record in my office in Deed Book 55, page 441, et. seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. State of Tenn., 137-139.)

EXHIBIT No. 8.

(Filed on Behalf of Tennessee.)

John Trigg

to

Lucy Jane Stockley.

Deed of Gift.

Filed and Registered 4th January, 1871.

I, John Trigg, of Memphis, Tennessee, for and in consideration of my love and affection for my daughter, Lucy Jane Stockley, wife of Charles A. Stockley, of the same place, do hereby give,
736 quit claim, transfer and convey unto the said Lucy Jane Stockley, wife of the said Charles A. Stockley, for her sole and separate use, separate and apart from her said husband, a certain tract or parcel of land situated, lying and being in Tipton county, State of Tennessee, on the Mississippi river, near the line of Shelby county, and in what is called the "Devil's Elbow", containing originally about five hundred acres, but to which some additions have been made by accumulations on said Mississippi river, making now probably over five hundred acres, being bounded west by the Mississippi river, and above on the river by my plantation, and below by lands claimed by Miles W. Kerr, and back opposite from the river by the plantation known as "the Brown plantation", heretofore sold by Wm. T. Brown to Henry C. Walker, and by him to C. G. McCrory, or to some person under whom McCrory claims the land; the tract and parcel of land hereby intended to be given being the same now and for some time heretofore occupied by my daughter, said Lucy Jane Stockley, as a plantation.

To have and to hold to the said Lucy Jane Stockley for her sole and separate use and apart from her husband and apart from said Charles A. Stockley and in no manner liable or subject to his debts, contracts or liabilities, but the land with all its rents, profits and crops and income to be for the sole and inclusive use of my said daughter the same as if she were a feme sole and unmarried, for use during her natural life and at her death to go and belong to her children, in equal portions, share and share alike in fee and
737 forever, but power and authority is hereby reserved and given to said Lucy Jane Stockley to sell or otherwise dispose of said land or any part of it in her discretion either by deed or other mode of conveyance, or last will and testament, but if not disposed of by her, to belong in remainder at her death to her children, as above directed. Witness my hand and seal this 7th day of May, A. D. 1862. J. Trigg. (Seal.) Witnesses: Emmett Mise. C. Hertrecht.

STATE OF TENNESSEE,
Shelby County:

Personally appeared before James Reilly, Clerk of the County Court of said county, C. Hertrecht (?) one of the subscribing witnesses to the attached deed of gift, who being duly sworn deposes and says that he was personally acquainted with J. Trigg, the bargainor to said deed, and that he acknowledged before him that he executed the same for the purposes therein contained. Witness my hand at office this 7th day of June, A. D. 1870. James Reilly, Clerk. (L. S.)

STATE OF TENNESSEE,
Shelby County:

738 Personally appeared before me, James Reilly, Clerk of the County Court of Shelby County, Wm. S. Morris, and being first sworn, deposes and says that he is acquainted with Emmett Mise (?), subscribing witness to the within deed; that he is now a non-resident of the State of Tennessee, and a resident of the State of Texas; that he is acquainted with his handwriting, having been a long time acquainted with him in business, and that the signature to said deed is in his genuine handwriting. Witness my hand at office this 17th day of October, 1870. James Reilly, County Court Clerk of Shelby County. (L. S.)

STATE OF TENNESSEE,
Tipton County:

I, George A. Taylor, Register of said county, do certify that the within deed of gift was filed in my office at 10 o'clock A. M., on this 4th day of January, 1871, and is entered for registration in Entry Book B, page 1. Geo. A. Taylor, Register, by R. H. Munford, D. R.

Copied from the entry of the original deed recorded in Book S, pages 423 and 424 in the office of the Register of Tipton County, Tennessee, Nov. 26th, 1901. Sue E. Murphy.

739 STATE OF TENNESSEE,
Tipton County:

Register's Office, December 2, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book S, page 423, et. seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., pp. 139-141.)

EXHIBIT No 9.

(Filed on Behalf of Tennessee.)

(*Copy of Grant No.* 21206, *Made by State of Tennessee to Simon Huddleston for Two Thousand Acres of Land and Dated January* 22, 1824.)

No. 21206.

Recorded 3d March, 1824.

(L. S.) The State of Tennessee to all to whom these presents shall come, Greeting:

Know ye, that by virtue of certificate No. 1364, dated the 31st day of March, 1820, issued by the Board of Commissioners for West Tennessee, to the heirs of James Mebance, Senr., for 2,000 acres and entered on the 2d day of July, 1822, by No. 772. There is granted by the said state of Tennessee unto Simon Huddleston, as-
740 signee of the said heirs of James Mebane, Senr., a certain tract or parcel of land, containing two thousand acres, by survey, bearing date the 26th day of December, 1823, lying in the eleventh district in range nine, sections five and six, and bounded as follows, to-wit: Beginning at a willow marked S. S., Stephen Slades' northeast corner on the bank of the Mississippi river; thence south with his line on hundred and fourteen chains to a mulberry marked S. H., thence east two hundred chains to a mulberry marked S. H., thence north seventy-eight chains to a white oak marked S. H., on the bank of the Mississippi river; thence down said river with its meanders north 41 degrees west thirty-five chains, south 82 degrees west thirty chains, north seventy-one west thirty-two chains, south 70 degrees west sixty-two chains; thence north 72 degrees west fifty-two chains to the beginning, with the hereditaments and appurtenances, to have and to hold the said tract or parcel of land, with its appurtenances, to the said Simon Huddleston and his heirs forever.

In witness whereof, William Carroll, Governor of the State of Tennessee, hath hereunto set his hand, and caused the great seal of the state to be fixed, at Murfreesborough, on the 22d day of January, in the year of our Lord 1824, and of the Independence of the United States the 48. Wm. Carroll. By the Governor. Daniel Graham, Secretary of State.

Endorsed: Copy.

741 *Grant No.* 21,206, *to Simon Huddleston, Assignee of Heirs of James Mebane, Sen'r, for* 2,000 *Acres Land in* 11*th District, in Range* 9, *Sections* 5 *and* 6.

I, John H. Bullock, Register of the Land Office for the District of Middle Tennessee, do hereby certify that the foregoing is a true copy of Grant No. 21,206, of the State of Tennessee, to Simon Huddleston, assignee of heirs of James Bebane, Sen'r, as the same stands recorded in my office, Book W, page 745.

Given under my hand, office at Nashville, this 7th day of December, 1901. John H. Bullock, Land Register for Middle Tennessee.

(Copied from Record, Cissna vs. Tenn., 115-116.)

741-A EXHIBIT No. 10.

T. A. NELSON, Extr.,

vs.

M. L. TRIGG et al.

Consent Decree of Mrs. M. P. Smith et al.

Filed 1st and Registered 9th Jan., 1883.

Be it remembered that we, Martha P. Smith, Frederick R. Smith, Geo. F. Davidson and Mary E. Davidson, his wife, (formerly Mary E. Smith), petitioners in the above cause, being indebted to Thos. P. Chambers for professional services rendered us in the above styled cause in sustaining our title to certain lands particularly described in the petition above referred to, filed in the above cause, and a lien having been filed by the decree of the Chancery Court in said cause of record, in Minute Book No. 33, page 459, to secure said fee, which, by agreement, is fixed at 1000 one thousand dollars, now, therefore, we consent and agree that the sum of one thousand dollars shall be the fee of the said Chalmers in said cause, it being the estimated one-third value of the property so recovered, and we further consent and agree that the said sum shall be reconsidered as adjustment or decree of this court fee, said sum which we hereby consent and agree shall be entered of record in said cause, and we further consent if the said sum of one thousand dollars be not paid or satisfied by us
741-B within sixty days from this date, then and in that event, we hereby vest the C. & N. *as* the legal title to said land as trustee for the consideration of one dollar and the execution this trust authorizes the clerk and master of the Chancery Court to advertise the land described in said decree for four consecutive weeks, once a week, in some paper published in the City of Memphis, and sell the same for cash without equity of redemption, said sale to take place in front of the court house door in the City of Memphis. Said land

to be sold in separate tracts, according to the original survey, and only so much thereof sold as may be necessary to satisfy this decree, except (copy illegible) happens to fall in the sale of the last tract in which event the C. & M., after paying the cost of the sale shall pay the remainder unto us in equal parts. It is further agreed that the clerk in making this sale shall make the deed as a trustee directly to the purchaser, and the clerk and master is hereby fully authorized to file this as a decree for the said sum as well as a decree of sale, and execute the same upon the failure heretofore specified to pay said decree. Dated this 27th day of Feb., 1882, the interlineations above made legal signing. Martha P. Smith. (Seal.) Fred R. Smith. (Seal.) G. A. Davidson. (Seal.) Mary E. Davidson. (Seal.)

C. & M. will file this paper as executed by us. G. T. Davidson.

741-C STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, Jno. J. Shea, deputy clerk of the county court of said county, Martha P. Smith, a widow, Fred R. Smith, G. F. Davidson and his wife, Mary E. Davidson, the within named bargainors, with whom I am personally acquainted and who acknowledged that they executed the within instrument for the purposes therein contained, and Mary E. Davidson, having appeared before me privately and apart from her husband, the said G. F. Davidson, acknowledged the execution of the said instrument, etc. to have been done by her freely, voluntarily and understandingly, without compulsion or constraint from her husband, and for the purposes therein expressed.

Witness Jno. J. Shea, deputy clerk of said court, at office, this 29th day of May, 1882. Jno. J. Shea.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jan. 9, 1883.

I, J. N. Harris, register of said county, do certify that the within deed was filed in my office at 2:20 o'clock p. m. on the 1st day of January, 1883, and entered for registration in Entry Book 6, page 88, and together with this and the above certificate is this day duly registered in Deed Book 31, page 150. J. N. Harris, Register.

741-D Copied from the entry of the original deed recorded in Deed Book 31, pages 150, 151, 152, in the office of the register of Tipton County, Tennessee. Oct. 31, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2, 1901.

I, I. R. Calhoun, register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 31, page 150, et seq. I. R. Calhoun, Register

(Cissna vs. State of Tennessee, pp. 160-162.)

742 EXHIBIT No. 11.

(Filed on Behalf of Tennessee.)

R. J. Black, Trustee,

to

Thos. P. Chambers.

(*Trust Deed.*)

Filed 1st and Registered 8th January, 1883.

I, R. J. Black, clerk and master of the chancery court of Shelby county, under and by virtue of a deed in trust and consent paper filed in the cause of T. A. Nelson, Extr. vs. M. L. Trigg, et al., made by Mrs. M. P. Smith, Fred R. Smith, Geo. F. Davidson and Mary E. Davidson, in which I am appointed a trustee to execute and enforce the provisions of said decree or trust deed, the same having been duly acknowledged by the maker- thereof, and the contingencies therein provided for having lessen (sic) to-wit: the makers of the trust having failed to pay the money therein admitted to be due and secured.

Now, therefore, I, the above named R. J. Black, as trustee aforesaid, and at the request of the beneficiary of said trust after having duly advertised the land therein conveyed and subject to said trust once each week for four successive weeks in the Weekly Ledger, a newspaper published in the city of Memphis, proceeded to sell the land described in said trust in separate tracts, as provided for in said trust, on Saturday, the 27th day of May, 1882, at the hour of 12 M. in front of the court house door in the city of Memphis, at which time the first tract of one hundred acres described as follows, to-wit:

743 Being in Island 37 in the Mississippi River and in the county of Tipton and State of Tennessee, in the 11th surveyor's district, section 6, entered in the name of T. P. Hall. Beginning at the N. E. corner of Entry No. 9, in the name of Jno. Trigg, for 151½ acres, at a sycamore tree, running thence W. 40 poles to an elm and sycamore marked J. T.; thence south with his line 40 poles to a mulberry marked T. P. H.; thence west 160 poles to a mulberry; thence north 100 poles to a cottonwood, on the bank of the Missis-

sippi River; thence up the river 60 poles, E. 10 degrees, S. 81 poles, E. 20 degrees, S. 50 poles, E. 40 degrees, S. 20 poles to the beginning, which said tract of land was bid off by Thomas P. Chalmers, for and at the sum of one (1) dollar per acre, which was the highest and best bid for said one hundred acres of land, which not being sufficient to discharge the said indebtedness, the second tract containing one hundred and fifty-one and one-half (151½) acres was then offered for sale, said tract described as follows: Beginning at the N. E. corner of Grant No. 3319, at a mulberry and sweetgum marked J. T., on the bank of Old River, running W. 151 poles to a mulberry and cottonwood marked J. T.; thence N. 220 poles to an elm and sycamore marked J. T.; thence east 40 poles to a sycamore on the bank of Old River; thence S. 48 degrees, E. 60 poles; thence with the river S. 25 degrees, E. 1,711 poles to the beginning, and struck off to Thomas P. Chalmers for and at the sum of two (2) dollars per acre, which being the highest and best bid for the same, he was declared the purchaser thereof; and there remaining a balance of the indebtedness still due and unpaid, the third tract was offered for sale, being described as follows, to-wit: Beginning at the
N. E. corner of Entry No. 7 in the name of John Trigg on a
744 sycamore marked J. T.; thence 1,455 poles to a mulberry
marked J. T.; thence N. 2,211 poles to a cottonwood; thence E. 75 poles to a small gum and mulberry marked J. T. on the bank of old river; thence up the river S. 25 degrees, east to the beginning, containing 152 acres, more or less, which said tract of land was struck off to Thos. P. Chalmers for and at the sum of two (2) dollars per acre, which was the highest and best bid for the same. He was declared the purchaser thereof, which yet being insufficient to pay the said debt the fourth tract containing 100 acres, more or less, and beginning at the N. W. corner of entry N. 8 for 152 acres in the name of John Trigg on a cottonwood; thence S. with the west line of said entry 100 poles to a sycamore marked J. T. & N. P.; thence W. 160 poles to a box elder; thence N. 100 poles to an elm marked J. T.; thence east 160 to the beginning, containing 100 acres, for which said tract of land Thos. P. Chalmers bid the sum of two dollars per acre, which being declared the purchaser thereof, and there being still a balance due of the debt secured upon this land the 5th tract containing 37 acres was then offered, beginning at the head of Island 37 running N. 10 degrees, W. 60 poles to a sycamore marked J. T.; thence W. 90 poles to a hackberry marked J. T.; thence south 80 poles to a hackberry on McKentry's chute marked J. T.; thence up said chute E. 211 degrees, N. 95 poles to the beginning, for which said tract of land the sum of one (1) dollar per acre was bid by Thos. P. Chalmers, which being the highest and best bid for the same he
was declared the purchaser thereof, and there being still a
745 balance due the sixth tract of land containing 30 acres was
then offered for sale, being described as follows: Beginning at the S. E. corner of occupant entry in the name of J. Barnay's in two small cottonwoods marked J. B. standing on the bank of McKentry's chute; thence north with Barnay's line 68 poles to two persimmon trees; thence east 85 poles to a large cottonwood; thence

S. 48 poles to a hackberry marked J. T. in said chute, S. 65 degrees, W. 90 poles to the beginning, and the sum of one dollar per acre being bid for the same by Thos. P. Chalmers, and it being highest, last and best bid he was declared the purchaser thereof, and the said Thos P. Chalmers having paid the said sum, the purchase, to-wit: one hundred dollars for the first lot offered, the sum of three hundred and three (303) dollars for the second and the sum of three hundred and four (304) dollars for the third and the sum of (200) two hundred dollars for the fourth and the sum of (37) thirty-seven dollars for the fifth, the sum of thirty (30) dollars for the sixth, aggregating the sum of nine hundred and seventy-four (974) dollars for the six tracts of land, aggregating five hundred and seventy and one half (570½) acres of land more or less, by crediting the said debt of one thousand dollars with the said sum of nine hundred and seventy-four dollars, the amount of the purchase money bid for said six several tracts of land, wherefore the said R. J. Black, C. & M., as trustee in said trust, in pursuance of the authority vested in me therein, do hereby sell, alien and convey to Thos. P. Chalmers the foregoing and above described lands to him, his heirs and
746 legal representatives forever, with all the right, title and interest vested in me by the said Mrs. M. P. Smith, Fred R. Smith and Mary E. Davidson and Geo. F. Davidson by their said trust deed referred to herein.

In testimony whereof I set my hand and seal this the 8th day of June, 1882. R. J. Black, C. & M. and Trustee.

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, Louis Kettman, deputy clerk of the said county, R. J. Black, C. & M., trustee, the within named bargainor, with whom I am personally — and who acknowledged that he executed the within instrument for the purposes therein contained. Witness my hand at office this 8th day of June, A. D. 1882. Louis Kettman, D. C.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jan. 8th, 1883.

I, J. N. Harris, Register of said county, do certify that the within trust deed was filed in my office at 12:25 o'clock P. M. on the 1st day of January, 1883, and entered for registration in entry book C, page 88, and together with this and the above certificate is this day duly registered in Deed Book, pages 146-148. J. N. Harris, Register.

Copied from the entry of the original deed recorded in Deed Book 31, on pages 146, 147, 148 and 149 in the office of the Reg-
747 ister of Tipton county, Tennessee, Oct. 26th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 31, page 146 et. seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., pp. 162-165.)

EXHIBIT No. 12.

(Filed on Behalf of Tennessee.)

Fred R. Smith
to
Thos. P. Chalmers.

Trust Deed.

Filed 4th and Registered 5th April, 1882.

I, Frederick R. Smith, of the city of Memphis, Tennessee, for the consideration of one dollar in hand paid, receipt whereof is hereby acknowledged, and other good and valuable considerations hereinafter set forth, do hereby sell, alien and convey to Thomas P. Chalmers, trustee, the following described property, to-wit: Five head of horses and three head of mules now on my place on Island 37 in Tipton County, Tennessee, and my undivided one-half interest in the Love tract of land on Island 37 known as the "Tow-head place", and my undivided one-third (⅓) interest in the Trigg land, being the same sold by the late John Trigg to my father, the late Frederick R. Smith, and fully described and set out in the decree in the case of T. A. Nelson, Extr., vs. Mrs. M. L. Trigg, et al., in the Chancery Court of Shelby County, in the petition of Mrs. M. P. Smith, et al., in said cause; and to which reference is here made, to him, the said Thos. P. Chalmers and his legal representatives forever. I covenant that I am lawfully seized and have a good right to convey, and that the same is unencumbered save that the Love place is chargeable with a balance of unpaid purchase money due W. E. Massey and wife and the Trigg land is chargeable with unpaid past due taxes for about 15 years, against none of which do I have warrant, but as to all other matters personal to myself and my heirs, I warrant and defend the title. But this deed is in trust for the following uses and purposes and none other. Whereas, Mrs. M. P. Smith, my mother, has heretofore loaned me the rents of her place on Island 37 in order to establish me in business and for other purposes a sum of money amounting to the aggregate of nine hundred and ninety-five ($995) dollars, which said sum should have been paid at and before 1st day of January, 1882, and whereas I have

748

been unable to repay the same, having lost it in my business, and being desirous of repaying the same and securing its payments, I have this day executed to her my promissory note due 18 months after date, with interest from date, the said note bearing even
749 date with this deed. I therefore make and execute this my deed in trust to the said Chalmers, as trustee, to secure the payment of the same. Now, therefore, should I pay the above described note at maturity, with the legally accrued interest thereon, then this deed to be void and the trustee shall reconvey at my expense the property herein conveyed to me. But should I fail to pay said note at maturity, then and in that event the said Chalmers, as trustee, shall at the request of *the* (Mrs.) Martha P. Smith advertise the above described property once in each week for four consecutive weeks in some newspaper published in the City of Memphis, giving notice of time place and terms of sale, and sell the same in front of the court house door, for cash, the personal property first, and then the real estate, one tract at a time, and to stop the sale when sufficient is sold to pay the debt, interest and cost—only selling the entire property in the event it becomes necessary, and after paying the expenses of making the sale, to pay off and discharge the debt herein secured, principal and interest, and the remainder, if any, to myself, my heirs or legal representatives.

In testimony whereof I have hereunto set my hand and seal this 15th day of February, 1882. Fred R. Smith. (Seal.)

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, John J. Shea, deputy clerk of the County Court of said county, Fred R. Smith, the within named bargainor, with whom I am personally acquainted, and who
750 acknowledged that he executed the within instrument for the purposes therein contained. Witness my hand at office this 15th day of Feb., A. D. 1882. Jno. J. Shea, Deputy Clerk. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, April 5, 1882.

I, J. N. Harris, Register of said county, do hereby certify that the within trust deed was filed in my office at 4:45 o'clock P. M. on the 4th day of April, 1882, and entered for registration in Entry Book C, page 66, and together with this and the above certificate is this day duly registered in Deed Book 30, pages 346, 347 and 348. J. N. Harris, Register.

Copied from the entry of the original deed recorded in Deed Book 30, pages 346, 347 and 348 in the office of the Register of Tipton County, Tennessee. Nov. 2d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 30, pages 346, et seq. I. R. Calhoun, Register.

(Copied from Record, Cissna vs. Tenn., 166-168.)

751 EXHIBIT No. 13.

(Filed by State of Tennessee.)

Thomas P. Chalmers
to
Mrs. M. P. Smith.

Deed.

Filed 1st and Registered 9th January, 1883.

I, Thos. P. Chalmers, of Little Rock, Arkansas, for the consideration of eight hundred and eighty-six dollars in hand paid, receipt -hereof is hereby acknowledged, hereby sell and convey to Martha P. Smith, of the county of Tipton and State of Tennessee, all of the tracts of land lying and being in Island 37 in the Mississippi River and in section 6, known as the "Trigg land," being the same recovered by the heirs of Frederick R. Smith, decd., in the case of T. A. Nelson, Extr. vs. Mrs. M. L. Trigg, in the Chancery Court of Shelby County, being No. 775 R. D. in said court, and to the decree rendered therein reference is here made for description of a more particular character, as well as to the deed of R. J. Black, trustee, to myself, and of record in the recorder's office of Tipton County, Tenn. Now, therefore, for the consideration above I hereby sell the above described land to the said Martha P. Smith, her heirs and legal representatives forever, and I bind myself, my heirs and legal representatives — defend the title against the lawful claims of any who may claim under or through me, and also against any claims of the heirs of John Trigg or any of them.

In testimony whereof I have hereunto set my hand and seal this the 3d day of June, 1882. Thos. P. Chalmers. (Seal.) H. D. Chalmers.

752 STATE OF ARKANSAS,
County of Pulaski:

Be it remembered, that on this day came before me, the undersigned, a notary public within and for the county aforesaid, duly commissioned and acting, Thos. P. Chalmers, to me well known

as the grantor in the foregoing deed and stated that he had executed the same for the consideration and purposes therein mentioned and set forth, and on the same day also voluntarily appeared before me the said Mrs. H. D. Chambers, wife of the said Thos. P. Chambers, to me well known, and in the absence of her husband declared that she had, of her own free will, signed and sealed the relinquishment of dower in the foregoing deed, for the purposes therein contained and set forth, without compulsion or undue influence of her said husband. Witness my hand and seal as such Notary Public on this 11th day of Dec. 1882. Henry M. Schaad, Notary Public. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jan. 9th, 1882.

I, J. N. Harris, Register of said county, do certify that the within deed was filed in my office at 12:30 P. M. on the 1st day of January, 1883, and entered for registration in Entry Book C, page 88, and together with this and the above certificate is this day duly registered in Deed Book 31, page 149. J. N. Harris, Register.

753 Copied from the entry of the original recorded in Deed Book 31, pages 149, 150, in the office of the Register of Tipton County, Tennessee. Oct. 30th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2, 1901.

I, I. R. Calhoun, Register of said county do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 31, pages 149 et seq. I. R. Calhoun, Register.

(Copied from Cissna vs. Tenn., 168-169.)

EXHIBIT No. 14.

(Filed by State of Tennessee.)

(*Grant No.* 3283, 640 *Acres, Tipton County.*)

No. 3283.

(L. L.) The State of Tennessee to all to whom these presents shall come, Greeting:

Know ye, That by virtue of entry No. 26, dated Tipton County, 5th day of January, 1837, in the name of Nathaniel Potter for 640 acres, founded on Commissioner of West Tennessee Warrant No. 3384

for 640 acres to the heirs of James E. Harra there is granted by the said State of Tennessee, unto Nathaniel Potter, assignee of Wesley Nixon, a certain tract or parcel of land containing 640 acres,
754 lying and being in the County of Tipton and State of Tennessee, Range 9, Section 6, on Island 37, in the Mississippi River. Beginning at the southwest corner of Entry No. 8 for 152 acres in the name of John Trigg, on a mulberry marked J. T., running thence north with his line 120 poles to a sycamore marked J. T. and N. P., the southeast corner of Trigg's 100 acre entry; thence west with the same entry 160 poles to a box elder; thence north 100 poles to an elm marked J. T.; then west 340 poles to a box elder marked N. P.; then south 220 poles to a stake on the north boundary of J. Doan's occupant; then east with his line to his N. E. corner on a sassafras; then east 350 poles to the beginning—survey bearing date 14th October, 1837—with hereditaments and appurtenances. To have and to hold the said tract or parcel of land, with its appurtenances to the said Nathaniel Potter and his heirs forever.

In witness whereof, Newton Cannon, Governor of the State of Tennessee, hath hereunto set his hand and caused the great *sale* of the State to be affixed, at Nashville, on the 12th day of November in the year of our Lord one thousand eight hundred and thirty-seven, and of the Independence of the United States the 61st. Newton Cannon. By the Governor: Luke Lea, Secretary of State.

Endorsed: Grant No. 3283, 640 acres, Tipton County.

I certify that this is a true copy of grant No. 3283 issued
755 by the State of Tennessee to Nathaniel Potter as the same appears of record in my office in Book No. 4, page 550. Witness my hand and private seal (there being no seal of office) at office in Jackson, Tennessee, this 11th Oct., 1901. Jno. W. Gates, Register of the Land Office for West Tennessee. (L. L.)

(Copied from Cissna vs. Tenn., 174-175.)

EXHIBIT No. 15.

(Filed by State of Tennessee.)

L. D. Addison
to
Samuel J. Hays.

Deed, 640 *Acres.*

Registered 3d February, 1845.

This indenture made and entered into this the 27th day of January, 1845, between Lloyd D. Addison, of the city of New Orleans, and state of Louisiana, of the one part, and Sam'l J. Hays, of the county of Madison, and State of Tennessee, of the other part.

Witnesseth: That the said Lloyd D. Addison, for and in consideration of the sum of one thousand and sixty dollars, the receipt whereof is hereby acknowledged, hath bargained, sold, aliened and conveyed unto Sam'l J. Hays, his heirs and assigns, forever, a certain tract or parcel of land situated, lying and being in the county of
756 Tipton, on an island in the Mississippi River, known as Island 37, containing six hundred and forty acres, being the same entered in the name of Nathaniel Potter, by equity No. 26, in range 9, section 6, and bounded as follows: Beginning at the southwest corner of entry No. 8 for 152 acres, in the name of John Trigg, at a mulberry marked J. T.; thence north with his line 120 poles to a sycamore marked J. T. and N. P., the southeast corner of John Trigg 100 acres. Then with — to a corner of same 100 acres in the name of John Trigg; thence north with a line of the same to its corner in the line of 610 acres in the name of Thomas P. Hall; thence with the line of said 610 acres to its corner; thence with said line to its corner on the line of an occupant, now a grant, in the name of Sam'l Hays; thence with that line and the line of 200 acres to the beginning. The above described tract having been sold by said Potter to Byrne and others, but no deed being made nor bond rec'd, the same was sold in 1840 by the marshal of West Tennessee, under an execution issued from the Court of the United States at Nashville, in my favor against said Potter, the title derived from such sale being the one now conveyed. Byrne and others' right only reserved if they have any; the marshal's deed in my favor being now on record in Tipton county. To have and to hold the aforesaid tract of land and bargained premises with all and singular the right, title, hereditaments and appurtenances of the same in any wise appertaining to the only use and behoof of him, the said Sam'l J. Hays, his heirs &c. forever. And the said Lloyd D. Addison, for himself, his heirs, executors or assigns, doth covenant and agree with the said Hays that the above mentioned land and bargained premises
757 he will warrant and defend from all lawful claims whatever.

In witness whereof the said Lloyd D. Addison has hereunto set his hand and seal the day and year above written. L. D. Addison. (Seal.)

STATE OF TENNESSEE,
Tipton County:

Personally appeared before me, John W. Fuller, Clerk of the County Court of said county, L. D. Addison, the within named bargainor, with whom I am personally acquainted, who acknowledged the execution of the within deed for the purposes therein contained. Witness my hand at office, January 24th, 1845. John W. Fuller, Clerk, by James Rose, D. Cl'k.

STATE OF TENNESSEE,
Tipton County:

Register's Office, 3d February, 1845.

I, James Overall, register of said county, do hereby certify that the within deed was filed with me this day at 3 1-2 o'clock p. m. and noted in Entry Book A, page 18, for registration, and that the same was then duly recorded in my office, in Book G, pages 82 and 83. James Overall, Register.

Copied from the entry of the original deed recorded in Book G, on pages 82 and 83, in the office of the register of Tipton County, Oct. 19th, 1901. Sue E. Murphy.

758 STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book G, page 82, et seq. I. R. Calhoun, Register.

(Copied from Cissna vs. Tenn., pp. 179-181.)

EXHIBIT No. 16.

(Filed by State of Tennessee.)

(*Grant No.* 4498, 200 *Acres.*)

No. 4498.

The State of Tennessee to all to whom these presents shall come. Greeting:

Know ye, that by virtue of entry No. 109 in Tipton county, dated 17th of July, 1840, made in the name of Ransom H. Byrns for 200 acres, founded on part of C. W. T. warrant No. 3637, issued to Thos. King for 5,000 acres, by survey bearing date 20th of July, 1840. There is granted by the said state of Tennessee unto Samuel J. Hays, assignee originally of said King a certain tract of parcel of land containing 200 acres, situate, lying and being in the county of Tipton, in range 9, and section 6, in the 11th district, on an island in the Mississippi River, known as Island No. 37. Beginning
759 280 poles west from the head of said island on a box elder marked T. B., running south 110 poles to a cottonwood on McKenzie's chute; thence down said chute south 70 degrees west 240 poles to a stake on the margin of said chute; thence north 160 poles to an elm marked T. B., thence east 230 poles to the beginning, with the hereditaments and appurtenances. To have and to hold

the said tract or parcel of land, with its appurtenances to the said S. J. Hays, and his heirs forever.

In witness whereof, Jas. K. Polk, Governor of the State of Tennessee, hath hereunto set his hand and caused the great seal of the state to be affixed at Nashville, on the second of September, in the year of our Lord, one thousand eight hundred and 40, and of the Independence of the United States the 65th. J. K. Polk. By the Governor: John S. Young, Secretary of State.

Endorsed: Grant No. 4498. 200 acres. Tipton County.

I certify that this is a true copy of Grant 4498, as appears of record in my office in Book No. 5, page 857.

Witness my hand and private seal (there being no seal of office) at office, in Jackson, Tenn., Oct. 11th, 1901. Jno. W. Gates, Register Land Office for West Tennessee.

(Copied from Cissna vs. Tenn., 181-182.)

760 EXHIBIT No. 17.

(Filed by Tennessee.)

Robert I. Chester

to

Mrs. Martha P. Smith.

(*Deed.*)

Registered March 16th, 1869.

This indenture made this twenty-sixth day of February, in the year of our Lord one thousand eight hundred and sixty-nine, between Rob't. I. Chester, of the county of Madison and State of Tennessee, of the one part, and Mrs. Martha P. Smith, of the county of Tipton and State of Tennessee, of the other part, witnesseth: That the said Rob't. I. Chester for and in consideration of three thousand dollars to him in hand paid by the said Mrs. Martha P. Smith, the receipt whereof is hereby acknowledged, hath given, granted, bargained, aliened, conveyed and confirmed, and by these presents doth give, grant, bargain, sell, alien and confirm unto the said Mrs. Martha P. Smith, her heirs and assigns forever, a certain tract or parcel of land situated, lying and being in the county — Tipton, State of Tennessee, on what is known as Island No. 37, butted and bounded as follows, viz: Beginning at the N. E. or upper corner of 204½ acres in the name of R. H. Byrnes, it being a corner of 1,010 acres, half of which has been heretofore conveyed to L. Speck, running from thence north with the line of the same to the N. E. corner of said Speck in Potter's 640 acre north boundary line

and in the south boundary line of 610 acres in the name of T. P. Hall; then east with the line of the same to corner of 100
761 acres in the name of John Trigg; thence to a corner of said 100 acres; then S. E. corner of said 100 acres in the west boundary line of 152 acres in the name of John Trigg and in the east boundary line of N. Potter's 640 acre tract, of which this conveyance is a part; then south with the west boundary of the said 162 acres to the bank of the Mississippi River; then down said river as it meanders to the east boundary or upper line of the said 204½ acres; then north with east boundary lines of the said 204½ acres to the beginning; containing by estimate 500 acres, be the same more or less.

To have and to hold the aforesaid land with all and singular the rights, profits, emoluments, hereditaments and appurt-ances of, in and to the same belonging, or in any wise appertaining, to the only proper use and behoof of her, the said Mrs. Martha P. Smith, her heirs and assigns forever. And the said Rob't. I. Chester, for himself, heirs, ex'tors and adm'rs, doth covenant and agree to and with said Mrs. Martha P. Smith, her heirs and assigns forever, that he — lawfully seized in fee of the aforegranted premises; that the same are free from all encumbrances; that he had a good right to sell and convey the same to Mrs. Martha P. Smith, as aforesaid; and that the before granted land and premises he will warrant and forever defend against the right, title, interest or claim of all and every person whomsoever.

In witness whereof, the said Rob't. I. Chester has hereunto set his hand and affixed his seal the day and year above written. Rob't I. Chester. (Seal.)

762 State of Tennessee,
Madison County:

Personally appeared before me, P. C. Cowat, Clerk of the County Court of said county, the within named bargainor, Rob't I. Chester, with whom I am personally acquainted, and acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand at office, this 7th day of March, 1869. P. C. Cowat, Clerk.

State of Tennessee,
Tipton County:

I, Jas. W. Trabough, Register of said county, do certify that the foregoing deed with $3.00 U. S. Int. Rev. stamps affixed thereon, was filed in my office and entered for registration in Entry Book "A," page 208, at 10:25 o'clock A. M., this 16th day of March, 1869. J. W. Trabough, Register, by R. H. Munford, D. R.

Copied from the entry of the original deed in the Book R, on pages 291 and 293, in the office of the Register of Tipton County, Tennessee, Nov. 4th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901

I, I. R. Calhoun, Register of said county, do certify that
763 the above and foregoing is a true and correct copy of the instrument now of record in Deed Book R, page 291, et. seq.
I. R. Calhoun, Register.

(Copied from Cissna vs. Tenn., pp. 190-192.)

EXHIBIT No. 18.

(Filed by Tennessee.)

Martha P. Smith

to

Samuel M. Jarvis.

Deed of Trust.

Filed and Registered Oct. 25th, 1889.

This indenture made this first day of October, in the year of our Lord, one thousand eight hundred and eighty-nine, between Martha P. Smith, a widow, Fred R. Smith, of the county of Tipton and State of Tennessee, party of the first part, and Samuel M. Jarvis, Trustee, of the county of Jackson, and state of Missouri, of the second part, Witnesseth: Whereas, the said Martha P. Smith and Fred R. Smith are justly indebted unto the Jarvis Conklin Mortgage Trust Company in the sum of thirty-five hundred and twenty-five ($3,525) dollars, borrowed money, as is evidenced by their note of even date herewith for the sum of thirty-five hundred and twenty-five dollard due and payable on the first day of Oct., 1894, with interest at the rate of six per cent per annum from date until
764 maturity. Said interest payment being payable semi-annually, and further specified and shown by ten coupons of one hundred five and 75/100 dollars each, attached to said note, which coupons are due and payable on the first day of April, and the first day of October, of each and every year, until the maturity of said note. Said coupons to draw six per cent interest per annum after due. Said note and coupon being payable to the order of the Jarvis Conklin Mortgage Trust Company, at its office in Kansas City, Missouri. Now, therefore, the said party of the first part in consideration of the premises and for the purposes aforesaid, and in further consideration of one dollar to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed, hereby granted, bargains, sells and conveys unto the said party of the second part, or his successors in trust forever, the following described lands and premises, situate in Tipton county and state of Tennessee,

known and described as follows, to-wit: A certain tract, piece or parcel of land lying, being situate on Island No. 37, in the Mississippi River in said Tipton county, Tennessee, containing six hundred acres, more or less, and more particularly described as follows, to-wit: Beginning at the northeast corner of a 204½ acre tract in the name of P. H. Byrne, the same being also a corner of a 1,010 acre tract sold by R. I. Chester to L. Speck and John V. Wise; thence north with the line of same to the northeast corner of same, a stake in the north boundary line of N. Potter's 640 acre, and in the south boundary line of 610 acres in the name of T. P. Hall; thence
765 east on said line three hundred and fifty poles (350), more or less, to the northwest corner of Entry No. 8 for 152 acres, in the name of John Trigg; thence south along the west boundary line of said John Trigg's 152 — to the bank of the Mississippi river; thence down said river as it meanders to the east or upper boundary line of said 204½ acre tract in the name of R. T. Byrne; thence south on said line to the place of beginning.

It is hereby understood and agreed that at the present time the Mississippi River has changed its course and does not now touch any of the above described lands, and that where said river is named as a boundary it is understood to mean where said river once ran, which course or bed is now dry and known as McKenzie'- Chute, and it is further understood and agreed that this conveyance carries with it all accretions now formed or sodded to said above described lands.

To have and to hold the same, together with all and singular the privileges and appurtenances thereunto belonging or in any wise appertaining to the premises hereby conveyed unto the party of the second part or his successors in trust hereinafter named, forever, hereby releasing all claims to homestead and dower therein. In trust, nevertheless, to-wit: That in case of default in the payment of said indebtedness, or in any part thereof with the interest thereon, at the time and in the manner and at the place specified for the payment thereof or in case of waste or non-payment of taxes, or neglect to procure or renew insurance, or in case of a breach of any
766 of the covenants or agreements herein contained; then and in such case on the application of the legal holder of said note, it shall and may be lawful for said party of the second part or his successors in trust, to enter upon, possess, hold and enjoy the above granted premises, and either with or without such entry, after having advertised such sale thirty days in a newspaper published (or by posting four notices, provided no paper is published in said county), in the county where the premises are situated, to sell the said premises, or any part thereof, and all right equity of redemption of said party of the first part, their heirs, executors, administrators or assigns therein, at public vendue, at the door of the court house in the county of Tipton, or in the county where the premises are situated, to the highest bidder for cash, and in bar of all right and equity of redemption, which is hereby waived and surrendered, at the time appointed in such advertisement or adjourn the sale from time to time at discretion, upon the making of such sale or

sales the said party of the first part does hereby authorize and empower said party of the second part, or his successors in his or her name, to execute and deliver to the purchaser or purchasers, a deed or deeds of conveyance in fee of the premise sold by virtue hereof (and it is agreed that the recitals in said deed shall be taken and accepted as prima facie evidence of the facts therein stated) and to apply the proceeds of such sale to the payment of: First, The costs and expenses of executing this trust, including three hun-
767 dred and fifty-two dollars attorneys' fees, and compensation to the trustee for his services. Second. All sums of money paid by said second party or the holder of said note, for insurance, taxes, assessments or charges to protect the title or possession of said premises, together with interest from time of paying the same at the rate of six per cent per annum. Third. To the payment of principal and interest due on said notes, and rendering the surplus, if any, to the said first party.

And the said Martha P. Smith and Fred R. Smith do hereby covenant that they are lawfully seized of said premises, and for their heirs, executors and administrators do covenant and agree to and with the party of the second part, or his successors in trust, that they will well and truly pay the principal of said loan and the interest thereon, according to the conditions hereinbefore set forth; and that in case of any suit being instituted for the collection of the same or any part thereof, that they will pay to Samuel M. Jarvis or his successors in trust, the sum of three hundred fifty-two dollars, as solicitors' fee, and that a decree or judgment may be rendered for the payment of said sum, in addition to the taxable costs of such suit, and that they will not at any time hereafter, until the said principal sum and the interest thereon has been fully paid, suffer said premises, or any part thereof to be sold for any tax or assessment whatsoever, nor will they do or permit to be done to, upon or about said premises any thing that will in anywise tend to impair the value thereof, or to diminish the security intended to be affected by virtue of this instrument, and in the event the said third party, the
768 assignee or legal representatives, or the party of the second part, or his successors in trust, shall expend, any money to protect the title or possession of said premises then all such money so expended shall be a new and additional principal sum of the money secured by this instrument and shall be payable and may be collected with interest thereon at the rate of six per cent per annum from the time of so expending the same. And that they will cause any building upon said premises to be in*sured* in such safe and responsible insurance company for the sum of — dollars or such less sum as the legal holders of the notes secured hereby may elect, and keep the same so insured, and will deliver all policies of insurance and all renewal certificates from time to time to said party of the second part, or his successors in trust. And it is stipulated and agreed that in case of default in any of said payments of principal or interest, as aforesaid, or in the event of a breach of any of the covenants or agreements herein; then and in that case, the whole

of said principal sum hereby secured, and the interest to the time of sale, and all moneys advanced to that time, shall, at the option of the legal holder of said indebtedness, or any part thereof, the trustee herein named, or then acting, or either or any of them, at once become absolutely due and payable, without notice to the first party, and the said premises may be sold in like manner and with the same effect as though said indebtedness had fully matured by lapse of time in said obligation mentioned. The bond and
769 oath of any trustee, executing this trust are hereby respectfully (?) waived.

And further, that in case of the death, absence, resignation or other inability or refuse to act of the said second party, then Stanley L. Conklin, of Kansas City, Mo., shall become successor in trust to said party of the second part, and in case of the death, resignation or other inability or refusal to act of the said Stanley L. Conklin, then it shall be competent and proper for the second party or his successors in trust, or the holder of said indebtedness or any part thereof, to appoint and substitute any other person as trustee to act instead of the party of the second part, who shall succeed to, and be vested with all the rights, power and authority conferred upon the second party by these presents; and shall be successor in trust of the second party in all respects. Now, if the covenants aforesaid shall be well and truly kept by the said party of the first part or their legal representatives, then the property hereinbefore conveyed shall be released at the cost of the said party of the first part.

In witness whereof, the said party of the first part have hereunto set their hands and seals on the day and year first above written. Martha P. Smith. (Seal.) Fred R. Smith. (Seal.) Signed, sealed and delivered in the presence of: W. A. Smith.

770 State of Tennesse,
Shelby County:

Personally appeared before me, P. J. Quigley, clerk of the County court of said county, the within named bargainors, Martha P. Smith, a widow, and Fred R. Smith, with whom I am personally acquainted, and who acknowledged that they executed the within instrument for the purposes therein contained.

Witness my hand at office, this 23rd day of October, A. D. eighteen hundred and eighty-nine. P. J. Quickley, Clerk. (L. S.)

State of Tennessee,
Tipton County:

Register's Office, Oct. 25th, 1889.

I, M. A. Misenheimer, Register of said county, do certify that the foregoing instrument was filed in my office at 10 o'clock a. m. on the 25th day of Oct., 1889, and entered for registration in Entry Book D, page 182, and together with this and the above certificate is this day duly registered in Deed Book 41, page 100. M. A. Misenheimer, Register.

Copied from the entry of the original deed recorded in Book 14, pages 100, 101, 102, 103, 104, in the office of the Register of Tipton County, Tennessee. Nov. 9, 1901. Sue E. Murphy.

771 STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 41, page 100 et. seq. I. R. Calhoun, Register.

(Copied from Cissna vs. Tenn., pp. 192-196.)

EXHIBIT No. 19.

(Filed by Tennessee.)

Samuel M. Jarvis and Stanley L. Conklin

to

F. K. Maxwell.

(*Power of Attorney.*)

Filed and Registered Aug. 9th, 1897.

Whereas, Martha P. Smith, widow, and Fred R. Smith, by their certain deed of trust dated the first day of October, eighteen hundred and eighty-nine, and recorded in Volume 41, at page 100, of the records of deeds in Tipton county, state of Tennessee, conveyed to Samuel M. Jarvis, as trustee, the following described real property, situated in the county of Tipton and state of Tennessee, to-wit, a certain tract, piece or parcel of land, lying, being and situate on Island No. 37, in the Mississippi River in said Tipton County,
772 Tennessee, containing 600 acres, more or less, and more particularly described as follows; to-wit: Beginning at the northeast corner of a 204½ acre tract in the name of R. H. Byrne, the same being also a corner of a 1,010 acre tract sold by R. I. Chester to L. Speck and John V. Wise; thence north with the line of same to the northeast corner of same a stake in the north boundary line of N. Potter's 640 acres and in the south boundary line of 610 acres in the name of T. P. Hall; thence east on said line 350 poles, more or less, to the northwest corner of entry No. 8. for 152 acres in the name of John Trigg; thence south along the west boundary line of said John Trigg's 152, to the bank of the Mississippi River; thence down said river as it meanders to the east or upper boundary line of said 204½ acre tract in the name of R. H. Byrne; thence north on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi river has changed its course and does not now touch any of the above described lands, and that

where said river is named as a boundary line it is understood to mean where said river once ran, which course or bed is now dry, and known as McKenzie Chute, and it is further understood and agreed that this conveyance carries with it all accretions now formed or added to said above described lands. And whereas it is provided in said trust deed that if Samuel M. Jarvis, the trustee therein named shall be absent from the state of Tennessee, or shall refuse to act as such trustee, then Stanley L. Conklin shall become the successor in trust; and in the case of the death, resignation, refusal to act or other
773 disability of the — Stanley L. Conklin, it shall be competent for the said Samuel M. Jarvis or Stanley L. Conklin to appoint and substitute any other person as trustee under the terms of said trust deed, with all the powers of the original trustee, and whereas the — Samuel M. Jarvis and Stanley L. Conklin are absent from the state of Tennessee and now refuse to further act as such trustee, now, therefore, we the said Samuel M. Jarvis, trustee, and Samuel L. Conklin, his successor in trust, do hereby appoint and substitute J. K. Maxwell as trustee, under the said deed of trust, with all the powers of the original trustee to advertise, sell and convey by good and sufficient deed the above described property, as provided in said deed of trust, and to apply the proceeds of said sale in satisfaction of said note, and of the expenses of said sale, and to any taxes unpaid on said premises.

In witness whereof, we, the said Samuel M. Jarvis and Stanley L. Conklin, have hereunto set out hands and seals this 15th day of May, 1897. Samuel M. Jarvis. (Seal.) Stanley L. Conklin. (Seal.)

STATE OF NEW YORK,
County of Tipton, ss:

Personally appeared before Lilah M. Lykins, a notary public, in and for the county and state aforesaid, the within named Samuel M. Jarvis and Stanley L. Conklin, the bargainors with whom I am personally acquainted, and who acknowledged that they ex-
774 ecuted the within instrument for the purposes therein contained, and in the capacity therein set forth.

In witness whereof, I have hereunto set my hand and official seal this 15th day of May, A. D. 1897. My commission expires March 30, 1899. Lilah M. Lykins, Notary Public in and for the County of New York, State of New York. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, Aug. 9th, 1897.

I, Misenheimer, Register of said county, do certify that the foregoing instrument was filed in my office at 3:30 o'clock p. m., on the 9th day of Aug., 1897, and entered for registration in Entry Book

"F", page 105, and together with this and the above certificate, is this day duly registered in Deed Book 56, page 218. M. A. Misenheimer, Register, By A. J. Cole, D. R.

Copied from the entry of the original deed recorded in Deed Book 56, pages 216, 217 and 218, in the office of the Register of Tipton County, Tennessee, Nov. 15th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is true and correct copy of this instrument, now of record in my office in Deed Book 56, page 216 et seq.
775 I. R. Calhoun, Register.

(Copied from Cissna vs. Tenn., 197-199.)

EXHIBIT No. 20.

(Filed by Tennessee.)

F. K. Maxwell, Trustee,

to

W. J. Caesar.

Deed, 600 *Acres.*

Filed and Registered 10th Aug., 1897.

This indenture made this 24th day of July, A. D. 1897, by and between F. K. Maxwell, as substitute trustee, party of the first part, and W. J. Caesar, party of the second part. Witnesseth: That, whereas, Martha P. Smith, a widow, and Fred R. Smith, by their certain deed of trust dated the 1st day of October, A. D. 1889, and recorded in the Register's office of Tipton County, Tennessee, in Volume "41," at page 100, of the records of deeds in said county, conveyed to Samuel M. Jarvis, as trustee, all the premises hereinafter described, to secure the payment of one certain note or bond in the sum of thirty-five hundred and twenty-five dollars ($3,525) with coupons for the semi-annual interest attached thereto, payable five years after date, and upon certain conditions in said deed of trust particularly referred to, which deed is hereby for greater certainty made part hereof. And, whereas, it was provided in said deed of trust that if Samuel M. Jarvins, the trustee therein
776 named should be absent from the State of Tennessee, or should refuse to act as such trustee, then the said Samuel M. Jarvis might appoint and substitute any other person as trustee to act in his place and stead, and who should be vested with all the rights, powers and authority conferred upon the original trustee.

And, whereas, the said Samuel M. Jarvis was and is absent from the State of Tennessee and has resigned his trust in writing and now refuses to further act as trustee and has appointed me, the undersigned, with full powers to — as substitute trustee thereunder. And whereas, default having been made in the payment of said principal note or bond when due and said note with three interest coupons thereto has long since become due and payable. The said premises were on the 21st day of May, 1897, by the said first party advertised for public sale to take place at the hour of twelve o'clock noon, on the 22nd day of June, 1897, at the front door of the Court House in the city of Covington, County of Tipton and State of Tennessee, in the manner provided by said trust deed and notice of which was published in the Covington Leader, a newspaper of general circulation printed and published in the County of Tipton, in said State, for a period of more than thirty days prior to said sale; a verified copy of which advertisement or notice is herein incorporated and made part of this deed. And, whereas, the said premises were at the time and place, and on the terms stated in said deed and pursuant thereto offered for sale at public
777 auction, for cash in hand, and in bar of the equity of redemption, dower and homestead, as provided in said deed of trust, and being cried for a reasonable time, were finally struck off and sold to the party of the second part herein for the sum of three thousand dollars ($3,000), he being the highest and best bidder therefor, which sum was in hand paid and then applied as by the said trust deed directed and provided. Now, therefore, these presents, witnesseth: That said party of the first part or substitute trustee in pursuance to the power and authority vested in him in and by said trust deed and the power of attorney from the said Samuel M. Jarvis, trustee, and in consideration of the full payment to him by the said second party of the said amount of the aforesaid bid, the receipt whereof is hereby acknowledged, does hereby bargain, sell, transfer and convey unto the said party of the second part, his heirs, executors and assigns, all the following described tract, piece or parcel of land situate, lying and being in the county of Tipton and State of Tennessee, to-wit: A certain tract, piece or parcel of land lying, and situate on Island 37 in the Mississippi River in said Tipton County, Tennessee, containing 600 acres, more or less, and more particularly described as follows, to-wit: Beginning at the northeast corner of a 204½ acre tract in the name of R. H. Byrne, the same being also a corner of a 1,010 acre tract sold by R. I. Chester to L. Speck and John V. Wise, thence north with the line of same to the northeast corner of same stake in the north boundary line of N. Potter's 640 acres and in the south boundary line of 610 acres in the name of T. P. Hall, thence east on said line 350 poles, more or less, to the northwest corner of Entry No. 8, for 152 acres in the name of John
778 Trigg, then south along the west boundary of said John Trigg's 152 to the bank of the Mississippi River, thence down said river as it meanders to the east or upper boundary line of said

204½ acre tract in the name of R. H. Byrne, thence north on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi river has changed its course and does not now touch any of the above described lands and that where said river is named as a boundary line it is understood to mean where said river once ran, which course or bed is now dry and known as McKenzie chute, and it is further understood and agreed that this conveyance carries with it all accretions now formed or added to said above described lands, together with all and singular the tenements, hereditaments, improvements, buildings, easements and appurtenances thereon and thereunto belonging and appertaining as an inheritance in fee over every and all right and equity of redemption, dower and homestead of the makers of said trust deed and all persons claiming through and under them or either of them. To have and to hold the aforesaid property and premises unto the said second party, his heirs, executors and assigns forever, as fully and absolutely as by virtue of the power and authority in him vested by the said trust deed he can convey the same. The party of the first part covenants that as substitute trustee he is lawfully seized of said property has good right to convey, and will and does warrant unto the said second party, his heirs and executors and assigns, title to said property as against all persons
779 claiming by, through or under the party of the first part, but no further or otherwise. In witness whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written. F. K. Maxwell, Substitute Trustee.

STATE OF TENNESSEE,
Shelby County:

Personally appeared before me, R. L. Bartels, a notary public in and for said county and state, F. K. Maxwell, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument in the capacity set forth and for the purposes therein contained.

Witness my hand and official seal at my office in Memphis, Tennessee, this 24th day of July, A. D. 1897. R. L. Bartels, Notary Public. (L. S.)

This is to certify that the hereto attached publication has been published for full thirty days in the Covington Leader, a newspaper published in the town of Covington, Tipton County, Tennessee, Said publication was placed in said newspaper on May 21st, and was continuously published in each issue of said paper up to and including the copy of June 18th, 1897. J. W. Simonton.

Sworn to and subscribed before me this 22nd June, 1897. W. V. Bringle, Notary Public. (L. S.)

780 *Trustee's Sale Notice.*

Whereas, Martha P. Smith, a widow, and Fred R. Smith, by their deed of trust dated 1st day of October, A. D. 1889, and recorded in Volume 41, at page 100 of the Records of Deeds in Tipton County, State of Tennessee, conveyed to Samuel M. Jarvis, as trustee, the following described real property situated in the County of Tipton and State of Tennessee, to-wit: A certain tract, piece, or parcel of land, lying, being and situate on Island No. 37, in the Mississippi River in said Tipton County, Tennessee, containing 600 acres, more or less, and more particularly described as follows, to-wit: Beginning at the northeast corner of a 204½ acre tract in the name of R. H. Byrne, the same also being a corner of a 1,010 acre tract sold by R. H. Chester to L. Sheck and John V. Wise; thence north with the line of same to the northeast corner of same to a stake in the north boundary line of N. Potter's 640 acres, and in the south boundary line 610 acres in the name of T. P. Hall; thence east on said line 350 poles, more or less, to the northwest corner of entry No. 8 for 152 acres in the name of John Trigg; thence south along the west boundary line of said John Trigg's 152 — to the bank of the Mississippi River; thence down said river as it meanders to the east or upper boundary of 204½ acre tract in the name of R. H. Byrne; thence north on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi River has changed its course and does not now touch any of the above described lands, and that where said river is named as a bound-
781 ary line it is understood to mean where said river once ran, which course or bed is now dry and known as McKenzie chute, and it is further understood that this conveyance carries with it all accretions now formed or added to said above described lands. Which said deed of trust was made to secure the payment of a certain promissory note in the sum of thirty-five hundred and twenty-five dollars, with coupons attached for the semi-annual interest thereon. And, whereas, said principal sum, together with three interest coupons on said note have long since become due and still remain unpaid. And, whereas, it is provided in said deed of trust that if Samuel M. Jarvis or Stanley L. Conklin, the successor in trust therein named, shall be absent from the State of Tennessee or shall refuse to act as such trustee, then the said Samuel M. Jarvis, or Samuel L. Conklin may appoint and substitute any other person as trustee to act in their place and stead and who shall be vested with all the rights, power and authority conferred upon the original trustee. And, whereas, the *and* (said) Samuel M. Jarvis and Stanley L. Conklin are absent from the State of Tennessee and have resigned their trust in writing and now refuse to further act as such trustee and have appointed me, the undersigned, with full power to act as trustee thereunder. Now, therefore, I, F. K. Maxwell, will at the request of the legal holders of said note and coupon and following the terms of said deed of trust proceed to sell the above described real estate with all the appurtenances thereunto belonging at public

vendue to the highest and best bidder for cash and in bar or
782 equity of redemption, dower and homestead at the front door of the court house in the City of Covington, in the County of Tipton and State of Tennessee, on the 22d day of June, A. D. 1897, at the hour of 12 o'clock M., to satisfy the debt by said deed of trust secured and the costs and expenses of executing this trust. F. K. Maxwell, Substitute Trustee.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Aug. 10th, 1897.

I, M. A. Misenheimer, Register of said county, do certify that the foregoing instrument was filed in my office at 1:32 o'clock P. M. on the 9th day of August, 1897, and entered for registration in Entry Book F, page 105, and together with this and the above certificate is this day duly registered in Deed Book 56, page 218. M. A. Misenheimer, Register, By A. J. Cole, D. R.

Copied from the entry of the original deed recorded in Deed Book 56, pages 218, 219, 220, 221, 222 and 223, in the office of the Register of Tipton County, Tennessee, November 15th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the instrument now of record in my office in Deed Book 56, page 218 et seq. I. R. Calhoun, Register.

(Cissna vs. Tenn., 199-203.)

783 EXHIBIT No. 21.

(Filed by Tennessee.)

W. J. Caesar

to

H. W. Stockley.

Warranty Deed.

Filed 22d June and Registered 4th July, 1898.

This indenture made on the 18th day of April, A. D. 1898, by and between W. J. Caesar, a single man, of the County of New York, State of New York, party of the first part, and H. W. Stockley, of the County of Tipton, State of Tennessee, party of the second part,

witnesseth: That said party of the first part, in consideration of the sum of five thousand two hundred dollars ($5,200), of which sum one thousand seven hundred and fifty dollars ($1,750) is now paid and the receipt of which is hereby acknowledged, and the remainder is to be represented by one certain promissory note dated —— —, ——, in the sum of three thousand four hundred and fifty dollars (3,450) due in three years from its date, and executed by the grantee herein and secured by a trust deed on the premises hereinafter described; does by these presents grant, bargain, sell, convey and confirm unto the said party of the second part, his heirs and assigns the following described premises, to-wit: A certain tract, piece or parcel of land lying, being and situate on Island No. 37 in the Mississippi River in said Tipton County, Tennessee, and more particularly described as follows, to-wit: Beginning at the northeast corner of a
204½ acre tract in the name of R. H. Byrne, the same being
784 also a corner of a 1010 acre tract sold by R. I. Chester to L. Speck and John V. Wise; thence north with the line of the same to the northeast corner of same, a stake in the north boundary line of N. Potter's 640 acres, and in the south boundary line of 610 acres in the name of T. P. Hall; thence east in said line 350 poles more or less to the northwest corner of entry No. 8 for 152 acres in the name of John Trigg; thence south along the west boundary line of said John Trigg's 152 acres to the bank of the Mississippi River; thence down said river as it meanders to the east of upper boundary line of said 204½ acre tract in the name of R. H. Byrne; thence north on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi River has changed its course and does not now touch any of the above described lands, and that where said river is named as a boundary line, it is understood to mean where said river once ran, which course of bed is now dry and known as McKenzie chute, and it is further understood and agreed that this conveyance carries with it all accretions now formed or added to said above described lands. This deed is made and delivered in lieu of the deed heretofore executed by W. J. Caesar to the grantee herein, covering the same premises, and which was lost or destroyed before its delivery. To have and to hold the premises aforesaid with all and singular the rights, privileges, appurtenances and immunities thereto belonging, or in anywise appertaining unto the said party of the second part, and to his heirs and assigns forever.

The said party of the first part hereby covenants that the said
785 premises are free and clear from any incumbrances except all taxes, and the said party of the first part will warrant and defend the title to said premises unto the said party of the second part and unto his heirs and assigns forever, against the lawful claims and demands of all persons claiming under him and not otherwise.

In witness whereof, the said party of the first part has hereunto set his hand and seal the day and year first above written. W. J. Caesar. (Seal.)

STATE OF NEW YORK,
County of New York:

Personally appeared before me, Lilah M. Lykins, the within named W. J. Caesar, the bargainor, with whom I am personally acquainted and who acknowledged that he executee the within instrument for the purposes therein contained.

*I*t witness whereof, I have hereunto set my hand and official seal this twenty-first day of April A. D. 1898. My commission expires March 30th, 1899. Lilah M. Lykins, Notary Public in and for the County of New York, State of New York. (L. S.)

STATE OF TENNESSEE,
County of Tipton:

Register's Office, July 4, 1898.

I, M. A. Misenheimer, Register of said county, do hereby certify that the foregoing instrument was filed in my office at 7.27 o'clock A. M. on the 22nd day of June, 1898, and entered for regis-
786 tration in Equity Book F, page 163, and together with this and the above certificate is this day duly registered in Deed Book 58, page 119. M. A. Misenheimer, Register.

Copied from the entry of the original deed recorded in Deed Book 58, pages 119 and 120, in the office of the Register of Tipton County, Tennessee, Nov. 16th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is true and correct copy of this instrument now of record in my office in Deed Book 58, et seq. I. R. Calhoun, Register.

(Cissna vs. Tenn., 204-206.)

EXHIBIT No. 22.

(Filed by Tennessee.)

H. W. Stockley and Wife

to

Samuel M. Jarvis.

Deed of Trust.

Filed 22d June and Registered 4 July, 1898.

This indenture made this first day of August, A. D. 1897,
787 between H. W. Stockley and Hattie H. Stockley, his wife, of Tipton County, State of Tennessee, and Samuel M. Jarvis, Trustee, of the County of New York, State of New York, witnesseth: That for the consideration of one dollar to me in hand paid and for other considerations hereinafter mentioned, the said H. W. Stockley and Hattie H. Stockley, his wife, bargains, sells and conveys unto the said Samuel M. Jarvis, Trustee, the following described real estate situate in county of Tipton and State of Tennessee, to wit: A certain tract, piece or parcel of land lying, being and situate on Island No. 37, in the Mississippi River, in said Tipton County, Tennessee, and more particularly described as follows, to wit: Beginning at the northeast corner of 204½ acre tract in the name of R. H. Byrne, the same being also a corner of a 1,010 acre tract sold by R. I. Chester to L. Speck and John V. Wise, thence north with the line of same to the northeast corner of same, a stake in the north boundary line of N. Potter's 640 acres, and in the south boundary line of 610 acres in the name of T. P. Hall; thence east on said line 350 poles, more or less, to the northwest corner of entry No. 8, for 152 acres in the name of John Trigg; thence south along west boundary line of said John Trigg's 152 acres to the bank of the Mississippi river; thence down said river as it meanders to the east or upper boundary line of said 204½ acre tract in the name of R. H. Byrne; thence south on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi river has changed its course and does not now touch any of the above described lands, and that where said river is named as a boundary line it is under-
788 stood to mean where said river once ran, which course or bed is now dry and known as McKenzie's chute; and it is further understood and agreed that this conveyance carries with it all accretions now found or added to said above described lands. To have and to hold unto the said Samuel M. Jarvis, Trustee, and to his heirs and assigns forever, free from all claims of homestead and dower which are expressly released and conveyed to the said Samuel M. Jarvis, Trustee. And we do hereby covenant that we are legally seized of said real estate, that the same is unencumbered, and that

we will warrant and defend the title to the same against all persons whomsoever. Whereas, the said H. W. Stockley and Hattie H. Stockley, his wife, are justly indebted to W. J. Caesar on a certain bond of even date herewith for the sum of thirty-four hundred and fifty ($3,450) dollars, lawful gold coined money of the United States of America of the standard of weight and fineness established by the laws of the land of the United States, borrowed money, payable to the order of the said W. J. Caesar, at the office of the North American Trust Company, New York City, New York, three (3) years after date, with interest from date at the rate of six (6) per cent per annum, payable semi-annually, according to the tenor of six (6) interest coupons to the said bond attached. Now, therefore, this conveyance is made in trust for the purpose of securing to the said W. J. Caesar the payment of the said bond and coupons and the performance of the things hereinafter expressed. The said H. W. Stockley and Hattie H. Stockley, his wife, expressly agree.

First, Neither to commit or permit waste upon said
789 premises; second, to pay all the taxes on said premises before delinquency; third, to procure and keep the buildings—real estate insured in the sum of $— so long as this indenture shall remain in force, in such insurance company as the holder of said bond or his assigns shall select the policies to be drawn so that the loss, if any, shall be paid to the said —— ——, Trustee, as additional security, and deliver all policies and renewal receipts to the said Trustee, and if default is made by the said —— ——, in this behalf, then the said Trustee may effect and keep up such insurance and recover the cost thereof, with interest at the rate of — per cent per annum, from the said —; fourth, if necessary to resort to law to enforce the payment of said bond or coupons, or to protect the security for its payment, or in case of failure to pay said taxes, or to procure said insurance, then that the holder of said bonds may pay such taxes and procure such insurance, and the sums so advanced, with interest at the rate of six (6) per cent per annum, shall be repaid by the said H. W. Stockley and Hattie H. Stockley, his wife, and the amount, together with three hundred and twenty-five dollars as attorney's fee shall be secured by this indenture; and in case of loss, and payment by any insurance company the amount so paid shall be applied on the debt as aforesaid or in rebuilding, as the holder of said bond shall exact. And the said H. W. Stockley and Hattie H. Stockley, his wife, hereby further agree that if default be made in the payment of any coupons, or part thereof, or in the payment of said bond, or any part thereof; or in the payment of any tax,
or in any part thereof; or in procuring or keeping up such
790 insurance; or in keeping and performing said covenants and agreements, that then, after any such default has continued twenty days, the legal holder of said bond may treat the bond and coupons, and moneys so advanced, as due and collectable as hereinafter provided. In case the said H. W. Stockley and Hattie H. Stockley, his wife, shall pay or cause to be paid, the said bond, coupons, taxes and insurance as specified in the bond, and in this

indenture, and shall fully do and perform all the covenants and agreements hereinabove expressed, then this deed to be null and void; but in case H. W. Stockley and Hattie H. Stockley, his wife, shall fail to pay said bond, coupons, taxes and insurance or to keep and perform any and all the said covenants and agreements as aforesaid, then the said Samuel M. Jarvis, as trustee, shall after advertising the time, terms and place of sale for thirty (30) days in some newspaper published in the City of Covington, Tennessee, or by written notice posted at the court house door in the county in which said realty is situated for 30 days, shall sell the said real estate at the court house door in the said City of Covington, Tennessee, to the highest and best bidder, at the public outcry for cash in hand and in bar of equity of redemption. The proceeds of said sale to be applied, first, to the payment of all the costs incident to this trust; second, to the payment of said bond and coupons, taxes and insurance, attorneys' fees as herein provided, and the repayment of all or any moneys advanced by the holder of said bond or trustee under the terms of this deed; third, the balance, if any, shall be paid to H. W. Stockley and Hattie H. Stockley, his wife, or their legal representative. The said trustee shall execute a deed to the
791 purchaser, and in the event of sale agrees to surrender to the purchaser possession of said premises without demand or notice. It is further stipulated, that in case of the death, legal disability, refusal or neglect of the said Samuel M. Jarvis to act as trustee, the legal title to the real estate aforesaid shall vest in Stanley L. Conklin, who shall have and exercise all the powers as trustee herein conferred upon said Samuel M. Jarvis. The oath and bond required of trustee is hereby expressly waived.

In witness whereof we have set out hands and seals this first day of August, A. D. 1897. H. W. Stockley. (Seal.) Hattie H. Stockley. (Seal.)

STATE OF TENNESSEE,
Shelby County:

Personally appeared before C. U. White, a Notary Public in and for said State and county, at Memphis, duly commissioned and qualified, H. W. Stockley, the within named bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and notarial seal at Memphis, aforesaid, this 15th day of June, 1898. My term expires Oct. 26th, 1898. C. U. White, Notary Public.

STATE OF ——,
—— *County:*

Personally appeared before me, Jno. J. Stockley, a Notary
792 Public in and for said county and state, H. W. Stockley and Hattie H. Stockley, his wife, the within named bargainors, with whom I am personally acquainted, and who acknowledged

that she executed the within named instrument for the purposes therein contained. And Hattie H. Stockley, wife of the said H. W. Stockley, having appeared before me privately and apart from her husband, the said Hattie H. Stockley acknowledged the execution of the said instrument to have been done by her freely, voluntarily and understandingly, that without compulsion or constraint from her husband, and for the purposes therein expressed.

Witness my hand and seal of office, this 16th day of June, 1898. John T. Stockley, Notary Public. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, July 4th, 1898.

I, M. A. Misenheimer, Register of said county, do certify that the foregoing instrument was filed in my office at 7:30 o'clock A. M. on the 22d day of June, 1898, and entered for registration in Entry Book F, page 163, and together with this and the above certificate is this day duly registered in Deed Book 58, page 121. M. A. Miesenheimer, Register.

Copied from the entry of the original deed recorded in Book 58, on pages 121, 122, 123, 124, in the office of the Register of Tipton County, Tennessee, Nov. 16th, 1901. Sue E. Murphy.

793 STATE OF TENNESSEE,
Tipton County:

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument is true and exact copy of the instrument and certificate *and* aforesaid recorded in Deed Book 58, page 121 et. seq. I. R. Calhoun, Register.

(Cissna vs. Tennessee, 206-209.)

EXHIBIT No. 23.

(Filed by Tennessee.)

Samuel M. Jarvis

to

H. W. Stockley.

Quit Claim Deed.

Filed and Registered Dec. 11, 1901.

Know all men by these presents, that whereas on August 1st, 1897, H. W. Stockley and Hattie H. Stockley, his wife, of Tipton County, Tennessee, did make and execute unto me, Samuel M. Jarvis, of the County of New York, State of New York, a certain deed in trust, recorded in the office of the Register of Tipton County,

Tennessee, in Book 58, page 121, to secure one W. J. Caesar the payment of a certain sum of money, to-wit: Thirty four hundred and fifty-four dollars ($3,450.00), evidenced by a certain obligation in writing, therein described and set of even date therewith,
and due three years from date, and whereas the said sum of
794 thirty-four hundred and fifty dollars ($3,450.00) has been
duly paid at maturity by the said H. W. Stockley to the said W. J. Caesar, and all the obligations undertaken by the said deed in trust, and the bond secured by it, have been duly and fully performed by the said H. W. Stockley unto the said W. J. Caesar, and all the provisions of said trust deed having been performed, and whereas I have been notified by the said W. J. Caesar of the payment of said sum of money and the fulfillment of all his other obligations therein undertaken by the said H. W. Stockley and have been directed by the said W. J. Caesar to make and execute this quit claim deed unto the said W. W. Stockley; now, therefore I, the same Samuel M. Jarvis, of New York county, State of New York, for and in consideration of the payment of said indebtedness of thirty-four hundred and fifty dollars ($3,450.00) and all other sums secured by said trust deed by the said H. W. Stockley to the said W. J. Caesar, as heretofore related, hereby bargain, sell, release, quit claim and convey unto the said H. W. Stockley of Tipton County, Tennessee, his heirs in fee simple forever, the following described tract or parcel of land situated in the county of Tipton and State of Tennessee, to-wit: A certain tract, piece or parcel of land, lying, being, situate on Island No. 37 in the Mississippi River, in said County of Tipton, State of Tennessee, and more particularly described as follows, to-wit: Beginning at the northeast corner of a 204½ acre tract in the name of R. H. Byrne, the same being also a corner of a 1,010 acre tract sold by R. I. Chester to L. Spek and John V. Wise;
thence north with the line of same to the northeast corner
795 of same, a stake in the north boundary line of N. Potter's
640 acre tract and in the south boundary line of 610 acres in name of T. P. Hall; thence east on said line 350 poles, more or less, to the north corner of Entry No. 8 for 152 acres in the name of John Trigg; thence south along west boundary of said John Trigg's 152 acres to the bank of the Mississippi; thence down said river as it meanders to the east or upper boundary line of said 204½ acre tract in the name of R. H. Byrne; thence north on said line to the place of beginning. It is hereby understood and agreed that at the present time the Mississippi River has changed its course and does not now touch any of the above described lands and that where said river is named as a boundary line it is understood to mean where said river once ran, which course or bed is now dry and known as McKenzie's chute. It is further understood and agreed that this conveyance carries with it all accretions now formed or added to said above described lands, it being the same tract of land conveyed to me as trustee to secure the payment of the said sum of money to the said W. J. Caesar by the said H. W. Stockley, as hereinbefore described, it having been conveyed to me by the said H. W. Stockley and wife by a deed in trust dated Aug. 1st, 1897, but executed on June 15th, and 16th, 1898, and which *and* trust is recorded in Book

58, page 121, in the office of the Register of Tipton County, Tennessee, to which — is herewith made for a fuller description. To have and to hold the aforesaid tract of land with all and singular the hereditaments and appurtenances of and to the same belonging or in anywise appertaining, together with all the accretions thereto and made land derived from the waters that bound it, and
796 such — these to be — the said H. W. Stockley, his heirs and assigns in fee simple forever; and I do hereby warrant the title to the said H. W. Stockley against the claims of all persons whomsoever claiming the same by, through or under me, but not against the claims of any other persons.

In witness whereof I have hereunto set my hand and affix my seal on this the 12th day of October, 1900. Samuel M. Jarvis, Trustee. (Seal.)

STATE OF NEW YORK,
Tipton County:

Personally appeared before me, a Notary Public in and for said state and county, duly commissioned and qualified, Samuel M. Jarvis, Trustee, the within names bargainor, with whom I am personally acquainted, and who acknowledged that he executed the within instrument for the purposes therein contained. And I certify that my commission as Notary Public began March 30th, 1899, and March 30th, 1901.

Witness my hand and notarial seal at office on this the 12th day of October, 1900. Lilah M. Lykins, Notary Public in and for the County of New York, State of New York. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 11, 1900.

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument was filed in my office at 10 o'clock A. M.
797 on the day of Dec. 11th, 1900, and entered for registration in Entry Book G, page 81, and together with this and the above certificate is this day duly registered in Book 65, page 282. I. R. Calhoun, Register.

Copied from the entry of the original deed recorded in Deed Book 65, pages 282, 283, 284 and 285, in the office of the Register of Tipton County, Tennessee, Nov. 16th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Dec. 2d, 1901.

I, I. R. Calhoun, Register of said county, do hereby certify that the above and foregoing is a true and correct copy of the Instrument now of record in my office in Deed Book 65, page 282 et seq. I. R. Calhoun, Register.

(Cissna vs. Tennessee, 210-212.)

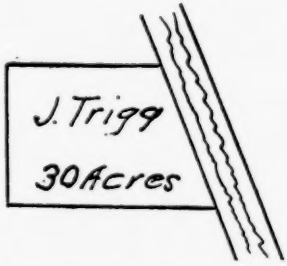
798 EXHIBIT No. 24.

(Filed by Tennessee.)

Survey of Entry No. 11.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 11, dated 5 Sept., 1836, founded on Register certificate No. 7098, for 20 acres and 2963 for 10 acres, I have surveyed for John Trigg, assignee &c., thirty acres of land in said county, range 9, section 6, on Island 37, beginning at the southeast corner of Occupant Entry in the name of J. Barnay, assignee of T. Deane, on 2 small cottonwoods, marked J. B., standing on the bank of McKenzie's chute, running thence north with Barney's line 68 poles to a persimmon; thence east 85 poles to a hackberry marked J. T., on McKenzie chute; thence down the chute south 65 west 95 poles to the beginning. Oct. 13th, 1837. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane, C. C.

799 Copied from the entry of the original survey recorded in survey Book A, on page 172, in the office of the Register of Tipton County, Tennessee. Aug. 21st, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 11, as the same appears in my office.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Copied from Cissna vs. Tennessee, 213-214.)

800 EXHIBIT No. 25.

(Filed by Tennessee.)

Survey of Entry No. 8.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

By virtue of Entry No. 8, dated Sept. 5th, 1836, founded on warrant No. 3470, for 152 acres, I have surveyed for John Trigg, assignee &c., 152 acres of land in said county, Range 9, Section 6, on Island 37, beginning at the northeast corner of Entry No. 7, in the name of said Trigg, at a sycamore marked J. T.; thence west 145 poles to a mulberry marked J. T.; thence north 220 poles to a cottonwood; thence east 75 poles to a mulberry and sweet gum marked J. T.; thence up said chute or main river S. 25 degrees east, to the beginning. Oct. 14, 1837. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane, C. C.

801 Copied from the entry of the original survey recorded in Survey Book A, on page 171, in the office of the Register of Tipton County, Tennessee. Aug. 21st, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 8, as the same appears of record in my office at Covington.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.
(Cissna vs. Tennessee, 214-215.)

802 EXHIBIT No. 26.

Survey of Entry No. 9.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

By virtue of Entry No. 9, dated Sept. 5th, 1836, founded on Register certificate No. 7106, for 151½ acres, I have survey- for John Trigg, assignee, &c., 151½ acres of land in said county, Range 9, Section 6, on Island No. 37, beginning at the northeast corner of Entry No. 8, in the name of said Trigg, on a mulberry and sweet gum marked J. T., on the bank of the main chute or old river, running thence west 150 poles to a mulberry and cottonwood, marked J. T.; thence north 220 poles to an elm and sycamore, marked J. T., thence east 40 poles to a sycamore on the bank of the main river; thence south 48 degrees east 60 poles; thence with the river south 25 east 170 poles, to the beginning. Oct. 14, 1837. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane, C. C.

803 Copied from the entry of the original survey recorded in Survey Book A, on page 171, in the office of the Register of Tipton County, Tennessee. Aug. 21st, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 9, as the same appears of record in my office.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tenn., 216-217.)

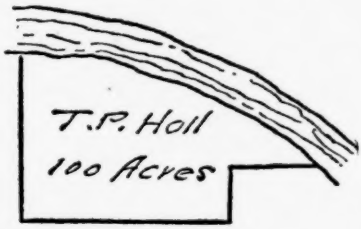
804 EXHIBIT No. 27.

(Filed by Tennessee.)

Survey of Entry No. 12.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 12, dated Dec. 1st, 1836, founded on certificate warrant No. 2932, for 100 acres, I have surveyed for Thomas P. Hall, assignee &c., 100 acres of land in said county, range 9, section 6, on Island No. 37, beginning at the lower or northeast corner of Entry No. 9, for 151½ acres in the name of John Trigg, on a sycamore, running thence west 40 poles to an elm and sycamore marked J. T.; thence south with Trigg's line 40 poles to a mulberry marked T. P. H.; thence west 160 poles to a mulberry; thence north 100 poles to a cottonwood on the bank of the river; thence up the river east 60 poles east 10 degrees south 80 poles; east 30 degrees south 50 poles, and east 40 degrees south 20 poles, to the beginning. October 16, 1837. T. P. Hall, D. S. T. C. Ashley Davis, James Vaughn, C. C.

805 Copied from the entry of the original survey recorded in Survey Book A, page 172, in the office of the Register of Tipton County, Tennessee. Aug. 21st, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 12, as the same appears of record in my office.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 217-218.)

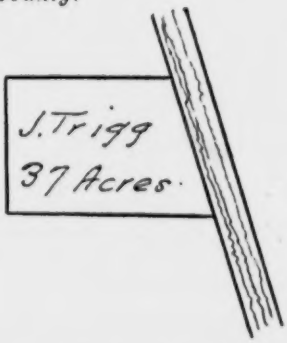
806 EXHIBIT No. 28.

(Filed by Tennessee.)

Survey of Entry No. 7.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 7, dated Sept. 5, 1836, founded on warrant No. 3469, for 30 acres, No. 7097 for 2 acres, and No. 7093 for 5 acres. I have surveyed for John Trigg assignee, &c., 37 acres of land in Tipton County, Range 9, Section 6, on Island No. 37, in the Mississippi River, beginning at the head of said Island, 400 poles N. 50 degrees west from S. Huddleston's N. E. Corner, running thence down the north or main chute N. 10 degrees W. 60 poles to a sycamore marked J. T.; thence west 90 poles to a hackberry marked J. T.; thence south 80 poles to a hackberry on McKenzie's chute marked J. T.; thence up said chute east 20 degrees north 95 poles to the beginning. Oct. 14, 1837. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane, C. C.

807 Copied from the entry of the original survey recorded in Survey Book A, page 170, in the office of the Register of Tipton County, Tennessee. Aug. 21st, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 7, as the same appears of record in my office.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 219-220.)

808 EXHIBIT No. 29.

(Filed by Tennessee.)

Survey of Entry No. 10.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

J. Trigg
100 Acres.

By virtue of Entry No. 10, dated Sept. 5, 1836, founded on warrant No. 3073, for 100 acres, issued to William Christian, I have surveyed for John Trigg, assignee &c., 100 acres of land in said county, Range 9, Section 6, on Island No. 37, beginning at the northwest corner of Entry No. 8, for 152 acres, in the name of said Trigg, on a cottonwood running thence south with the west line of said entry 100 poles to a sycamore, marked J. T. and N. P.; thence west 160 poles to a box elder; thence north 100 poles to an elm marked J. T.; thence east 160 poles to the beginning. Oct. 16, 1837. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane. C. C.

809 Copied from the entry of the original survey recorded in Survey Book A, on pages 171 and 172, in the office of the Register of Tipton County, Tennessee. Aug. 21, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 10, as the same appears of record in my office.

Given under my hand at office, in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 220-221.)

810 EXHIBIT No. 30.

(Filed by Tennessee.)

Survey of Entry No. 26.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

By virtue of entry No. 26, dated Jan. 5, 1837, founded on warrant No. 3384, for 640 acres, issued to the heirs of James Ohara, I have surveyed for Nathaniel Potter, assignee, &c., 640 acres of land in said county, Range 9, Section 6, on Island No. 37, beginning at the southwest corner of Entry No. 8, for 152 acres in the name of John Trigg, at a mulberry marked J. T., running thence north with his line 120 poles to a sycamore *of* Trigg's 100 acre Entry; thence west with said entry 160 poles to a box elder; thence north 100 poles to an elm marked J. T.; west 340 poles to a box elder marked N. P.; thence south 220 poles to a stake on the north boundary of J. Dean's Occupant; thence east with his line to his northeast corner on a sassafras; thence east 350 poles to the beginning. Oct. 14, 1937. T. P. Hall, D. S. T. C. Ashley Davis, Thomas Roane, C. C.

811 Copied from the entry of the original survey recorded in Survey Book A, on page 173, in the office of the Register of Tipton County, Tennessee. Aug. 22, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 26, as the same appears of record in my —.

Given under my hand at office this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County.

(Cissna vs. Tennessee, 121-122.)

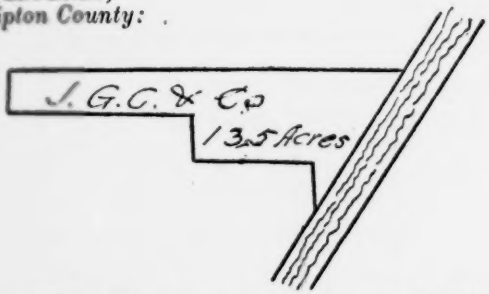
812 EXHIBIT No. 31.

(Filed by Tennessee.)

Survey of Entry No. 35.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 35, for 135 acres, dated Feb. 13, 1837, founded on warrant No. 3547, for 135 acres, I have surveyed for John G. Chalmers, Wm. H. Long and R. H. Burns, 135 acres of land in said county, Range 9, Section 6, on Island 37, beginning at the lower or southwest corner of Entry No. 7, for 37 acres in the name of John Trigg, at a hackberry marked J. T., running thence down McKenzie's Chute west 25 degrees south 100 poles to the upper corner of Trigg's 30 acre entry on a hackberry; thence north with his line 50 poles to a large cottonwood; thence west 85 poles to a persimmon on Barnay's line; thence north with his 45 poles to his corner on a box elder; thence west with his north line 230 poles to an elm on Deane's line 45 poles to a sassafras, his northeast corner; thence east with N. Potter's 640 acre entry 400 poles to a
813 hackberry marked J. T.; thence south 80 poles to the beginning. Oct. 13, 1837. T. P. Hall, D. S. T. C. James Vaughn. Thomas Roane.

Copied from the entry of the original survey recorded in Survey Book A, on page 174, in the office of the Register of Tipton County, Tennessee. Aug. 22, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 35, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County.

(Cisna vs. Tennessee, 223-224.)

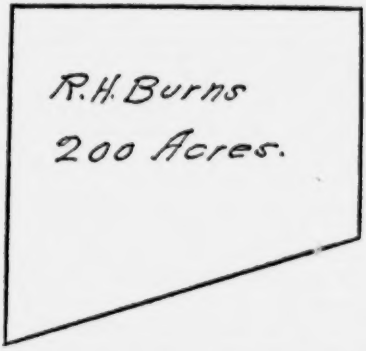
814 EXHIBIT No. 32.

(Filed by Tennessee.)

Survey Entry No. 109.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 109, dated July 17, 1840, founded on part of warrant No. 3637 issued to the heirs of Thomas King, I have surveyed for Ransom H. Burns, assignee &c., 200 acres of land in said county, Range 9, Section 6, of the 11th Surveyor's District, on an Island in the Mississippi River, known as Island No. 37, beginning 280 poles west from the head of said island on a box elder marked J. B.; thence south 110 poles to a cottonwood on McKenzie's Chute; thence down said chute S. 70 degrees W. 240 poles to a stake on the margin of said chute; thence north 160 poles to an elm marked J. B.; thence east 230 poles to the beginning. Surveyed July 20, 1840. Fred R. Smith, D. S. T. C. R. I. Chester, F. R. Smith, C. C.

815 Copied from the entry of the original survey recorded in Survey Book A, on page 192, in the office of the Register of Tipton County Tennessee. Aug. 22nd, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 109, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County.

(Cissna vs. Tennessee, p. 224-225.)

816 EXHIBIT No. 33.

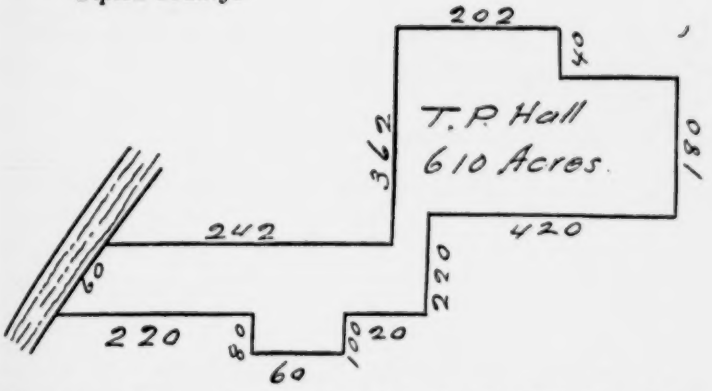
(Filed by Tennessee.)

Entry No. 339, 610 *Acres.*

Filed Dec. 3, 1901.

Scale 200 poles per inch.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 42, dated 11th March, 1837, founded on warrant No. 3588 for 610 acres, I have surveyed for Thomas P. Hall, assignee, &c. 610 acres of land in said county, Range 9 Section 6 on Island No. 37, beginning at the southeast corner of Entry No. 12 for 100 acres in the name of said Hall, at a mulberry marked T. P. H.; thence south with Trigg's Entry No. 9, for 151½ acres, 180 poles to a mulberry and cottonwood; thence west with said Trigg's 100 acre entry and N. Potter's 640 acre entry, 420 poles to Potter's N. W. corner on a box elder marked N. P.; thence south with his line 220 poles to his southwest corner on J. Dean's Occupant; thence west 20 poles to a maple marked J. D.; thence
817 south with his line 100 poles to a red bud marked J. D.; the northeast corner of J. Sloane's 12 acre entry; thence west with his line 60 poles to an elm marked J. S.; thence north with T. P. Hall's 148 acre entry 80 poles to a sycamore marked T. P. H.; thence west 220 poles to a maple, his northwest corner; thence north 33 degrees east 60 poles to the lower corner of entry No. 36 for 274 acres; thence east with said entry 242 poles to its southeast corner; thence north 362 poles to a cottonwood; thence east with Love's 172 acre entry 260 poles to a mulberry marked C. I. L.; thence south 40 poles to a mulberry, the southwest corner of T. P. Hall's 100 acre entry; thence east with said entry 160 poles to the beginning. 14 Oct., 1837. T. P. Hall, D. S. T. C. James Vaughn, Ashley Davis, C. C.

Copied from the entry of the original survey recorded in Survey Book A, on pages 176 and 177, in the office of the Register of Tipton County, Tennessee. Aug. 22d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 42, as the same appears
818 of record in my office at Covington.

Given under my hand at office in Covington, Tenn., this Dec 2d, 1901. W. O. Menefee, Entry Taker for Tipton County.

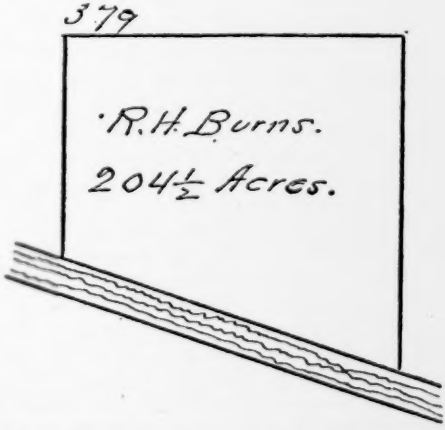
(Cissna vs. Tennessee, 226-227.)

EXHIBIT No. 34.

Entry No. 110, 204½ *Acres.*

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 110, dated 17th July, 1840, founded on Warrant No. 2673, issued to M. Armstrong by the C. W. T.
819 for 184½ acres and Warrant No. 6958 issued by the R. W. T. to James Davis for 20 acres, I have surveyed for Ransom H. Burns, assignee, &c, 204¼ acres of land in said county, Range 9, Section 6, on an island in the Mississippi River, known as Island No. 37, beginning at a stake the southwest corner of Entry 109 for 200 acres in the name of said Burns on the north bank of McKenzie's

chute, thence north 200 poles to a sassafras marked R. B., thence west 170 poles to a maple marked R. B.; thence south 150 poles to a hackberry on said chute; thence up said chute south 70 degrees east to the beginning. July 20, 1840. F. R. Smith, D. S. T. C. R. I. Chester, F. R. Smith, C. C.

Copied from the entry of the original survey recorded in Survey Book A, on page 193, in the office of the Register of Tipton County, Tennessee. Aug. 22d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 110, as the same appears
820 of record in my office at Covington. Given under my hand at office in Covington, Tenn., this December 2, 1901. W. O. Menefee, Entry Taker, Tipton County, Tenn.
(Cissna vs. Tennessee, pp. 228-229.)

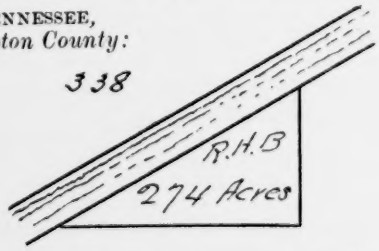
EXHIBIT No. 35.

(Filed by Tennessee.)

Survey of Entry No. 36.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 36, dated Feb. 13, 1837, founded on Military Warrant No. 40, I have surveyed for John G. Chalmers, James S. Lyon, Wm. H. Long and Ransom H. Burns 274 acres of land in said county, Range 9, Section 6, on Island No. 37, beginning
821 at the lower corner of Entry No. 20 for 172 acres in the name of C. I. Love on a cottonwood, thence down the river S. 56 degrees W. 80 poles S. 30 degrees W. 360 poles to a cottonwood on the bank of the river, thence east 240 poles to a stake, thence north 360 poles to the beginning. Oct. 16, 1837. T. P. Hall, D. S. T. C. James Vaughn. Ashley Davis.

Copied from the entry of the original survey recorded in Survey Book A, on page 176, in the office of the Register of Tipton County, Tennessee. Aug. 22nd, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 36, as the same appears of record in my office. Given under my hand at office in Covington, Tennessee, this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 229-230.)

822 EXHIBIT No. 36.

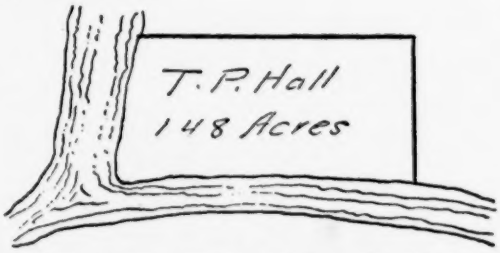
(Filed by Tennessee.)

Entry No. 281, 148 *Acres.*

Filed Dec. 3, 1901.

Scale 200 poles per inch.

STATE OF TENNESSEE,
Tipton County:



By virtue of Entry No. 17, founded on Certificate Warrant No. 7128, issued to Wesley Nixon for 148 acres, I have surveyed for Thomas P. Hall, assignee of said Nixon, one hundred and forty-eight acres of land in Tipton County, Range 9, Section 6, on Island No. 37, in the Mississippi River, beginning at the southwest corner of Entry No. 15 for 12 acres in the name of J. Sloane at a hackberry on the north bank of McKenzie's chute, running thence north 110 poles to a sycamore marked T. P. H., thence west 220 poles to a maple on the bank of the main chute, thence down the main river bank south 30 degrees west 120 poles to a willow marked T., P. H. on the lower part of the island; thence up McKenzie's chute east 200 poles; thence south 80 degrees east 40 poles to the beginning. Surveyed Dec. 14th, 1836. T. P. Hall, D. S. T. C. Zeph Deane, Clark Herron, C. C.

823 Copied from the entry of the original survey recorded in Survey Book A, on page 151, in the office of the Register of Tipton County, Tennessee, Aug. 20th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, — that the above and foregoing contains a full, true and perfect copy of the survey of entry No. 17, as the same appears in my office. Given under my hand, at office, this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.
(Cisna vs. Tennessee, 231-232.)

EXHIBIT No. 37.

(Filed by Tennessee.)

Entry No. 330, 172 *Acres.*

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

By virtue of Entry No. 20, dated Dec. 27, 1836, founded on
824 Warrant No. 3507 for 172 acres, I have surveyed for the heirs of Charles I. Love, 172 acres of land in said county, Range 9, Section 6, on Island No. 37, including the towhead on the north side of the island beginning at the lower or northwest corner of Entry No. 12 for 100 acres in the name of T. P. Hall, running thence south 80 poles to a mulberry marked C. I. L., thence west 260 poles to a cottonwood on the bank of a small chute dividing the island from the towhead, thence north 20 degrees east 80 poles, thence north 50 degrees east 80 poles, thence east 15 degrees north 70 poles, thence east 60 poles S. 10 degrees E. 20 poles, thence south 20 degrees east to the beginning. Oct. 16, 1837. T. P. Hall, D. S. T. C. A. Davis, J. Vaughn, C. C.

Copied from the original survey recorded in Survey Book A, on page 173, in the office of the Register of Tipton County, Tennessee, Aug. 22d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, O. W. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of the Entry No. 20, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this December 3d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 232-233.)

825 EXHIBIT No. 38.

(Filed by Tennessee.)

Entry No. 280, 12 *Acres.*

Filed Dec. 3, 1901.

Scale, 60 Poles per Inch.

STATE OF TENNESSEE,
Tipton County:

By virtue of Entry No. 15 founded on Certificate Warrant No. 5913 for 12 acres issued to Willis Nonworthy by the Register of West Tennessee I have surveyed for James Sloane, assignee, &c., twelve acres of land in said county, Range 9, Section 6, on Island No. 37, in the Mississippi River, beginning at the lower southwest corner of Occupant Entry No. 6, in the name of J. Deane, on a hickory on the north bank of McKenzie's chute, running thence north 40 poles to a red bud marked J. S., thence west 60 poles to an elm marked J. S., thence south 30 poles to a hackberry on the bank of said chute, thence up the chute east 10 degrees south 65 poles to the beginning. Surveyed Dec. 14, 1836. T. P. Hall, D. S. T. C. Zeph Deane, Clark Herron, C. C.

826 Copied from the entry of the original survey recorded in Survey Book A, on page 150, in the office of the Register of Tipton County, Tennessee, Aug. 20th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, O. W. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of Entry No. 15, as the same appears of record in my office.

Given under my hand at office this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 233-234.)

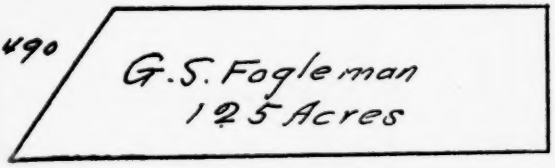
827 EXHIBIT No. 39.

(Filed by Tennessee.)

Survey of Entry, 153 Acres.

Filed Dec. 3, 1901.

TIPTON COUNTY,
Tennessee:



By virtue of Entry No. 153, dated Aug. 9, 1838, founded on part of Warrant No. 1860, issued for *1,860* acres, I have surveyed for George S. Fogleman, assignee of William Williams, 125 acres in Range 9, Section 5, of the 11th Surveyor's District, beginning at the southeast corner of G. S. Fogleman's 200 acre Entry No. 13, thence north to the northeast corner of the same on the Stephen Slade's south boundary line 200 poles to a sycamore marked G. S. F., thence east with said Slade's line 80 poles to a stake on the said line, thence south 280 poles to a small cottonwood on the east bank of the Mississippi River, thence up with the meanders of the same N. 60 degrees W. 90 poles to a small cottonwood on the bank of the river, thence north 36 poles to the beginning. Survey 22d Jan., 1846. A. W. Smith, Surveyor, Tipton County, by A. Jones, D. S. L. C. Graves, T. Mason, C. C.

828 Copied from the entry of the original survey recorded in Survey Book A, on page 246, in the office of the Register of Tipton County, Tennessee, Aug. 23d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, O. W. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains the survey of Entry No. 153, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County, Tenn.

(Cissna vs. Tennessee, 235-236.)

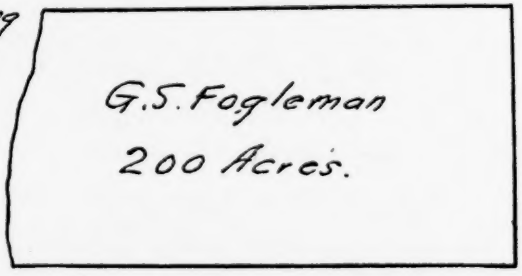
829 EXHIBIT No. 40.

(Filed by State of Tennessee.)

Entry No. 489, 200 *Acres.*

Filed Dec. 3, 1901.

TIPTON COUNTY,
Tennessee:



By virtue of Entry No. 12, dated Jan. 3, 1846, I have surveyed for George S. Fogleman 200 acres of land in Range 9, Section 5, beginning at a small cottonwood on the east bank of the Mississippi River the southeast corner of G. S. Fogleman's 125 a. entry; thence north 280 poles with sd. Fogleman's line to a stake on the south boundary line of Steven Slade; thence east 109 poles with Slade's line to a stake; thence south 320 poles to a small cottonwood on the bank of a chute nearly opposide the lower end of a towhead; thence with the meanders of the chute west 9 poles, N. 60, W. 78 poles; thence west 32 poles to the beginning. Surveyed 23 Jan., 1846. A. W. Smith, Surveyor Tipton County, by A. Jones, D. S. L. C. Graves, A. Jones.

830 Copied from the entry of the original survey recorded in Survey Book A, on page 246, in the office of the Register of Tipton County, Tennessee, Aug. 22d, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of entry No. 12, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this Dec. 2d, 1901. W. O. Menefee, Entry Taker for Tipton County.

(Cissna vs. Tennessee, 236-237.)

831 EXHIBIT No. 41.

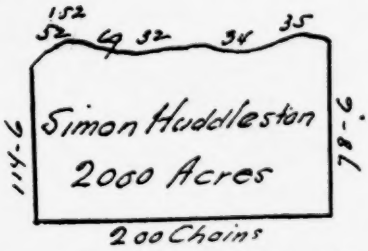
(Filed by Tennessee.)

Entry No. 722.

Filed Dec. 3, 1901.

Scale 100 Chains Per Inch.

STATE OF TENNESSEE,
11th District:



By virtue of entry No. 722, dated 2d July, 1822, founded on C. W. T. Warrant No. 364, dated 13th March, 1820, for 2,000 acres, I have surveyed for Simon Huddleston 2,000 acres of land in the 11th district, range 9, sections 5 and 6. Beginning at a willow marked S. S., Steven Slade's N. E. corner on the bank of the Mississippi River; thence south with his line 114 chains to a mulberry marked S. S.; thence east 200 chains to a mulberry marked S. H., on the bank of the Mississippi River; thence N. 78 chs. to white oak marked S. H. on the bank of the Mississippi River, its meanders N. 41 degrees, W. 35 chains, S. 82 degrees, W. 34 chains, N. 71 degrees 32 chains, S. 70 degrees, W. 62 chains, N. 72 degrees, W. 52 chains to the beginning. Surveyed 19 Dec., 1833. John Ralston, D. C. William R. Reaves, Jno. A. Mickleberry, C. C.

832 Copied from the entry of the origanl survey recorded in sruvey Book A, on pages 82 and 83, in the office of the Register of Tipton County, Tennessee, Aug. 20th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of Entry No. 722, as the same appears of record in my office.

Given under my hand at office in Covington, Tenn., this December, 1901. W. O. Menefee, Entry Taker, Tipton County.

(Cissna vs. Tennessee, 237-238.)

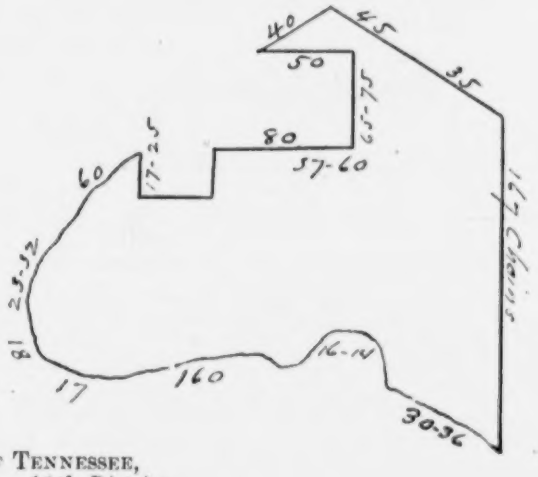
833 EXHIBIT No. 42.

(Filed by Tennessee.)

Survey of Entry No. 721.

Filed Dec. 3, 1901.

Scale 100 Poles Per Inch.



STATE OF TENNESSEE,
11*th District:*

By virtue of entry No. 721, dated 2d, July, 1822, founded on Military Warrant No. 1784, issued by the State of North Carolina to Steven Slade for 2,560 acres, I have surveyed for Steven Slade 2,560 acres of land in the 11th District, range 9 and 10, sections 5 and 6. Beginning at a box elder marked C. Mc. Charles McLung's northwest corner on the bank of the Mississippi River; thence east with his line 50 chains to a hackberry marked C. M., his northeast corner; thence south with his line 65 chains 75 links to a hackberry marked C. M., said McLung's S. W. corner on James H. Mc-
834 Kenzie's line; thence south with said line 8 chains 44 links to a box elder marked J. H. M., said McKenzie's S. E. corner; thence west with his line 37 chains 60 links to a box elder marked J. H. M., his S. W. corner; thence north with his line 17 chains, 25 links to a stake from which S. 57 degrees, E. one chain an elm marked J. H. M., his N. W. corner on the bank of the river; thence down the river with its meanders S. 64 degrees, W. 60 chains, S. 68 degrees, W. 32 chains, S. 53 degrees, W. 23 chains, S. 28 degrees, W. 18 chains, S. 17 chains to a cottonwood marked S. S.; thence east

160 chains to a cottonwood tree marked S. S., on the bank of the river; thence down the river with its meanders N. 21 degrees, E. 42 chains, N. 83 chains, E. 10 chains to a stake from which N. 33 degrees, E. 39 links an ash marked S. S. on Hugh B. Porter's line; thence north with said line 16 chains to a stake from which N. 22 degrees, W. 29 links an elm marked H. B. P., said Porter's N. W. corner; thence east with his line 30 chains and 30 links to a stake 26 links west of an elm marked H. B. P., his N. E. corner; thence south with his line 14 chains to a hackberry marked S. S., on the bank of the river; thence down the river with its meanders S. 79 degrees, E. 30 chains; S. 71 degrees, E. 36 chains, S. 60 degrees, E. 5 chains to a box elder marked S. S.; thence north 167 chains to a willow marked S. S. on the bank of the river; thence down said river with its meanders N. 84 degrees west 55 chains, west 45 chains, S. 54 degrees, W. 40 chains to the beginning. Surveyed 24 Dec., 1823. John Ralston, D. S. William P. Reaves, John A. Mickleberry, C. C.

835 Copied from the entry of the original survey recorded in Survey Book A, on pages 81 and 82, in the office of the Register of Tipton County, Tennessee, Aug. 20th, 1901. Sue E. Murphy.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker for Tipton County, Tennessee, do certify that the above and foregoing contains a full, true and perfect copy of the survey of entry No. 721, as the — appears of record in my office.

Given under my hand at office in Covington, Tennessee, this Dec. 2, 1901. W. O. Menefee, Entry Taker for Tipton County.

(Cissna vs. Tennessee, 239-240.)

836 EXHIBIT No. 43.

(Filed by Tennessee.)

Survey from John Wherry, D. C. S., to S. Fogleman.

Filed Dec. 3, 1901.

Taken Out by G. B. Bateman, Aug. 14, 1837.

STATE OF TENNESSEE,
Shelby County:

By virtue of entry No. 14, dated 7th October, 1836, founded on part of certificate warrant No. 3526, issued by the commissioners of West Tennessee to Robt. M. Burton for 3,037 acres of land, I have surveyed for George S. Fogleman 100 acres, assigned of said Robt. M. Burton, including part of his occupant claim assignee of G. B. Bateman, in Range 9, Sect. 5, said county. Beginning at a small mulberry marked S. H., Simon Huddleston's southeast corner of his 2,000 acre entry No. —; then west with the south boundary line of said entry 25 chains and 70 links to an ash marked G. B. B.; then
837 south 31 chains 75 links to an elm marked G. B. B. on the south boundary line of said 200 acre occupant; thence east 35 chs. and 70 links to a stake 110 links south of an elm marked G. B. B., southeast corner of said occupant; then north 18 chs. and 45 links to a stake 20 links east of a sweet gum marked G. B. B. on the south boundary line of Green B. Bateman's 45 acre entry on his 200 acre occupant No. —; then west ten chains — a large *procon* (?) tree marked G. B. B., southwest corner of said 45 acre entry; then north 12 chs. and 30 links to the beginning. Surveyed 4th Jany. 1837. John Wherry, D. S. C. Green B. Bateman. John Wherry.

Endorsed: John Wherry, D. C. S., To: Survey, S. Fogleman.

I, Robt. F. Malone, Register of said county, hereby certify the endorsed one page to be a full, true and perfect copy from the records of my office of a survey from John Wherry, D. C. S., to S. Fogleman, of record in Survey Book A, page 312.

Witness my official signature, this 3rd day of Dec., 1901. Robt. F. Malone, Register, By E. M. Douglass, Deputy.

(Cisna vs. Tennessee 241-242.)

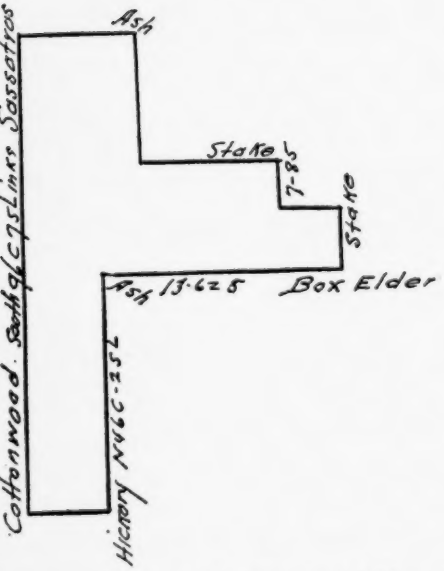
838 EXHIBIT No. 44.

(Filed by Tennessee.)

Survey of Land for N. Potter.

Filed Dec. 3, 1901.

329.



P. & C. Taken Out by John Wherry, 3d May, 1838.

STATE OF TENNESSEE,
Shelby County:

By virtue of entry No. 94, dated on the 7th day of December 1836, founded on warrant No. 3500 issued to James G. Brehon for 252 acres, I have surveyed for N. Potter two hundred and fifty-two acres of land lying in fractional range 9, fractional section 5, Mississippi river. Beginning at an ash marked H. S. B., heirs of Jesse

Benton's northwest corner of their 1,436½ acre entry No.
839 727; then east at sixty chains and fifty links crossing a bayou sixty-five chains to a stake, east 20 links an elm marked N. P.; then north thirteen chains 25 links to a box elder marked N. P. on the south boundary line of G. B. Bateman's 256 acre entry No. 1626; then west five chains and fifty links to a stake; then N. 45 degrees, W. 30 links a cottonwood md. G. B. B., southwest corner of said 256 acre entry; then north seven chains 85 links to a stake, whence north 100 links an elm marked G. B. B., southwest corner of said 256 acre entry; then north seven chains 85 links to a stake; whence north 100 links an elm marked G. B. B., southeast corner of Geo. G. Fogelman's 100 acre entry No. —, then west thirty-five chains and 70 links to an elm S. W. corner of said 100 acre entry; then north thirty-one chains and 75 links to an ash marked G. B. B., northwest corner of said 100 acre entry on Simon Huddleston's south boundary line of his 2,000 acre entry No. —; then west twenty-eight chains 75 links to a sassafras marked J. J., northeast corner of John Jenkins' 1,000 acre entry No. —; then south at 71 chains, 25 links crossing and passing Jenkin's southeast corner in all ninety-six chains 75 links to a cottonwood marked S. B., Simon Bataman's southeast corner of his 100 acre entry; then east five chains 75 links to a hackberry marked G. B. B., northeast corner of G. B. Bateman's 49 acre entry No. — on the Hrs. of J. Benton's 1,436½ acre entry; thence north forty-six chains 25 links to the beginning. Surveyed 11th, November, 1837. John Wherry, D. C. S., Shelby County. John Wherry, G. B. Bateman, C. C.

840 Endorsed: John Wherry, D. C. S., To: Survey, N. Potter.

STATE OF TENNESSEE,
Tipton County:

I, Robt. F. Malone, Register of said county, hereby certify the endorsed one page to be a full, true and perfect copy from the records of my office of a survey from John Wherry D. C. S. to N. Potter of record in Survey Book A, page 348.

Witness my official signature at office, this 3rd day of Dec., 1901. Robt. F. Malone Register, By E. M. Douglass, Deputy.

(Cissna v. Tennessee, 243-244.)

840A

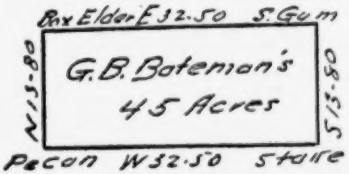
EXHIBIT No. 45.

Entry No. 10.

Filed Dec. 3, 1901.

Taken out by G. B. Bateman, Aug. *44,* 1837.

STATE OF TENNESSEE.
Shelby County:



By virtue of entry No. 10, dated December 7th, 1836, founded upon part of certificate No. 3526 issued by the Commissioners of West Tennessee to Robert M. Burton for 3,037 acres of land, I have surveyed for Green B. Bateman, assignee of said Robert M. Burton, 45 acres of land in range 9, section 5, said county, including his occupant claim No. 200. Beginning at a small sweet gum marked G. B. B., Green B. Bateman's southeast corner of his 155 acre entry on said occupant's claim; then south 13 chs. and 80 links to a stake 1 ch. 30 links, south and 20 links east of a sweet gum marked G. B. B.; then south 32 chs. to a pecan tree marked G. B. B., the southwest corner of said 200 acre occupant claim; then north at 12 chs. and 30 links passing a mulberry marked S. H., Simon Huddleston's
840B southeast corner, in all 13 chs. and 80 — to a box elder marked G. B. B., Green B. Bateman's southwest corner of his 155 [illegible] entry on said occupant on the east boundary line of Simon Huddleston's 2,000 acre entry; then east 32 chs. and 50 links to *be* beginning. Survey 4th Jan., 1837. John Wherry, D. C. S. Green B. Bateman. John Wherry, C. C.

Endorsed: John Wherry, D. C. S. to: Survey, Green B. Bateman.

(Copied from Cissna vs. State of Tennessee, 245-246.)

841 EXHIBIT No. 46.

(Filed by Tennessee.)

By virtue of Entry No. 20, dated Oct. 29, 1845, I have surveyed for G. B. Bateman 400 acres of land in said county, Range 8, Section 5, it being the lower part of Island No. 36, commonly called Old River Island. Beginning 265 poles up the Mississippi River from the N. W. corner of said Bateman's Entry No. 1625 for 155 acres at a stake, thence south 32 poles to old river, thence up the same
842 with its meanders south 55 degrees E. 176 poles, thence south 75 degrees E. 60 poles, thence south 57 E. 216 poles, thence south 80 E. 60 poles to a stake in said old river, thence north passing

the southwest corner Adam A. Lewis' 200 acre occupant entry, in all 284 poles to said Lewis' northwest corner on the south bank of the Mississippi river, thence down the same with its meanders S. 70 degrees W. 96 poles, thence due west 60 poles, thence S. 79 W. 108 poles, thence due west 80 poles, thence N. 68 degrees W. 150 poles to the beginning. Surveyed Nov. 6, 1845. A. W. Smith, Surveyor, by A. Jones, D. C. Hosea Bateman, Nicholas Presson, C. C.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jany. 10, 1901.

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument is a true and exact copy of an entry of record in Book A, page 241, in my office. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., —— —, 1901.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now and was at the time of signing the same, Register of said Tipton County, Tennessee, and that as said
843 Register he is the official keeper of the record of deeds and other instruments of land titles in said county and as such Register is authorized by law to make and certify to copies of all instruments recorded in his office, which certified copies are admissible as evidence in all courts of Tennessee, and that his said certificate of attestation is in due form of law and that the signature thereto is his true and genuine official signature, and his official acts as such Register are entitled to full faith and credit.

Witness my hand this 14th day of January, 1901. John Craig, Judge.

STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, Clerk of the County Court of said county, certify that Hon. John Craig, whose genuine official signature appears to the above and hereto annexed certificate, is, and was at the time of the signing the same, sole and presiding Judge of the County Court in and for the county and State aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and official seal of said court, at office, in the town of Covington, Tenn., this —— day of ——, 1901. E. H. Peete, Clerk. [L. S.].

(Cissna vs. Tennessee, 247-248.)

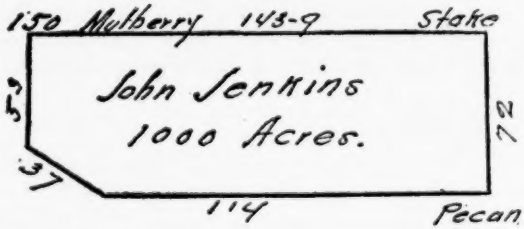
844 EXHIBIT No. 47.

Survey of Land.

Filed Dec. 3, 1901.

Scale, 50 Chains per Inch.

Taken Out by John Massey.



STATE OF TENNESSEE,
11th District:

By virtue of Entry No. 813, dated 13 Dec. 1822, founded on Military Warrant No. 924, dated 5 Sept. 1822, I have surveyed for John Jenkins 1,000 acres of land in the 11th District, Section 5, Range 9. Beginning at a mulberry marked S. H., Simon Huddleston's southwest corner on Steven Slade's east boundary line, thence east with Huddleston's line 143 chains, 9 links to a stake 2 chains west of a sassafras marked g. g., thence south 72 chains to a pecan marked g. g., thence west 114 chains to a sweet gum marked keel (g. g.) on the banks of the Mississippi River, thence up said river with its meanders north 55 degrees west 37 chains to a box
845 elder marked 88, Steve Slade'- southeast corner, thence north with his line 53 chains to the beginning. Surveyed 27 Dec., 1823. John Ralston, D. S. Wm. Reaves, J. R. Mickleberry, C. C.

STATE OF TENNESSEE,
Tipton County:

Recorder's Office, Feby. 8th, 1901.

I, I. R. Calhoun, Register of said county and state, do certify that the above survey is a true and exact copy of the survey of record in my office in Survey Book A, page 81. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., —— —, ——.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation is now, and was at the time of signing the same, Register of said Tipton County, Tennessee, and as said Register is the official keeper of the record of deeds and other instruments of land title in said county, and, as such Register, is authorized by law to make and certify to copies of all instruments recorded in his office, which certified copies are admissible as evidence in all courts of Tennessee and that his said certificate of attesta-
846 tion is — due form of law, and his signature thereto is his true and genuine official signature, and official act as such Register are entitled to full faith and credit.

Witness my hand this 8th day of Feby., 1901. John Craig, Judge.

STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, Clerk of the County Court of said County, certify that Hon. John Craig, whose genuine signature appears to the above and hereto annexed certificate is, and was at the time of signing the same, sole and presiding Judge of the County Court in and for the county and State aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed the sale of said court, at office, in the city of Covington, this 8th day of February, 1901. E. H. Peete, Clerk. (L. S.)

(Cissna v. Tennessee, 249-250.)

847 EXHIBIT No. 48.

(Filed by State of Tennessee.)

Survey.

Scale, 40 Poles per Inch.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
11*th District:*

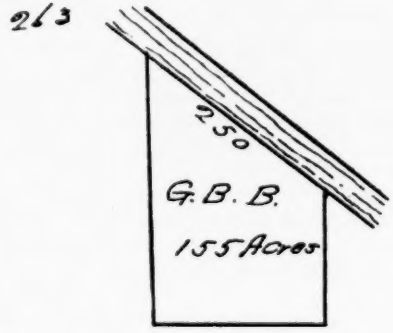
By virtue of Entry No. 1625, dated the 23rd of December, 1834, founded on part of Warrant No. 393, for 3,750 acres, I have surveyed for Green B. Bateman 155 acres of land in said district,

Range 9, Sections 5 and 6, on the Mississippi River in Tipton County, including part of his occupant claim No. 200, beginning at a white oak, on the N. E. corner of Simon Huddleston's 2,000 acre entry on the bank of said river, thence up the eastern chute of the river known by the name of old river, with its meanders south 26 degrees east 19 chains south 3 degrees east 7 chains south 22 degrees east 12 chains, south 47 degrees east 26 chains and 50 links to a stake the N. E. corner of said occupant claim, thence south 24 chains 69 links to a sweet gum marked G. B. B. thence west 34 chains 17 links to a box elder marked G. B. B. on Simon Huddleston's line; thence north with said line 75 chains and 80 links to the beginning. Surveyed 7th March, 1836. John Bateman, D. S. —— ——, D. S. Wm. Bateman, H. W. Bateman, C. C.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jany. 10, 1901.

I, I. R. Calhoun, Register of said county, do certify that
848 the foregoing instrument is a true and exact copy of the entry found in Entry Book A, page 142, of my office. I. R. Calhoun, Register.



STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., —— —, 1901.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now, and was at the time of signing the same, Register of said Tipton County, Tennessee, and that as said Register he is the official keeper of the r-cord of deeds and other instruments of land titles in said county, and as such Register he is authorized by law to make and certify to copies of all instruments recorded in his office, which certified copies are admissible in evidence in all courts of Tennessee, and that his certificate of attesta-

tion is in due form of law and that the signature thereto
849 is his true and genuine official signature, and his official acts as such Register are entitled to full faith and credit.
Witness my hand this 11th day of January, 1901. R. G. Craig, Judge.

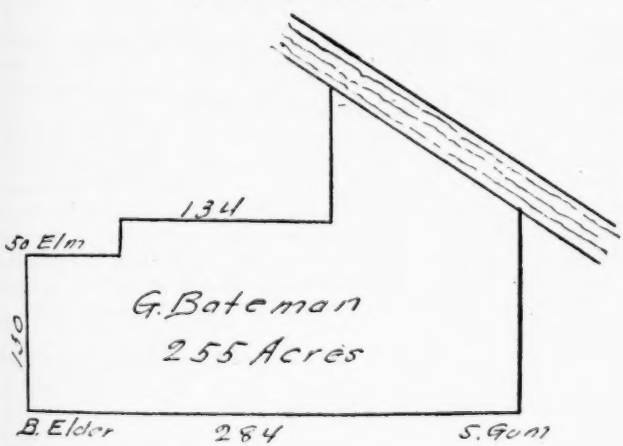
STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, Clerk of the County Court of said county, certify that Hon. John Craig, whose genuine official signature appears to the above and hereto annexed certificate, is, and was at the time of signing the same, sole and presiding Judge of the County Court in and for the county and State aforesaid, duly commissioned and qualified, and that all his official acts, as such are entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office in the town of Covington, Tenn., this 11th day of January, 1901. E. H. Peete, Clerk.
(Cissna v. Tennessee, 251-252.)

850 EXHIBIT No. 49.

(Filed by Tennessee.)



340

Scale 100 Poles Per Inch.

STATE OF TENNESSEE,
Tipton County:

By virtue of Entry No. 1626 founded on Warranty No. 3334 for 256 acres I have surveyed for Green B. Bateman 256 acres in said county, Range 8, Section 5, beginning at the N. E. corner of G. B.

Bateman's 200 acre occupant — on the Mississippi river, No. 200, running thence south with his line 80 poles to an elm and box elder marked G. B. B., thence west with his line 134 poles to a box elder, his southwest corner, thence south 3 poles to a mulberry, S. Huddleston's southeast corner of his 2,000 acres, thence west 50 poles to an elm marked G. B. B., thence south 130 poles to box elder marked G. B. B., thence east 284 poles to a sweet gum marked G. B. B.,
851 thence north 140 poles to a cottonwood on the bank of Old River, thence down the river north 60 degrees west 120 poles to the beginning. Surveyed Feby. 20th, 1837. S. P. Hall, D. S. T. C. Lem Young, Thomas Pounds, C. C.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jany. 10, 1901.

I, I. R. Calhoun, Register of said county, do certify that the foregoing is a true and exact copy of the entry found of record in my office in Entry Book A, page 155. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., —— —, 1901.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now, and was at the time of signing the same, Register of said Tipton County, Tennessee, and that as such Register he is the official keeper of the record of deeds and other instruments of land titles in said county, and as such Register is authorized by law to make and certify to copies of all in-truments recorded in his office, which certified copies are admissible as evidence in all courts of Tennessee, and that his said certificate
852 of attestation is in due form of law and that the signature thereto is his true and genuine official signature, and his official acts as such Register are entitled to full faith and credit.

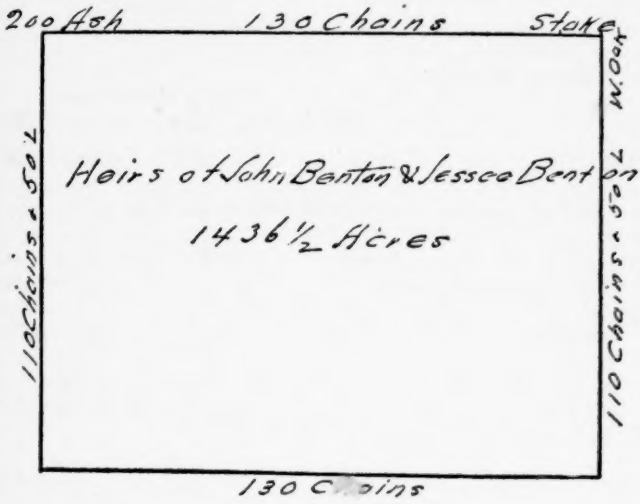
Witness my hand, this 11th day of January, 1901. John Craig, Judge.

(Cissna vs. Tennessee, 253-254.)

853 EXHIBIT No. 50.

(Filed by Tennessee.)

Taken Out at Request of J. Ralston 11th May, 1825.



Scale 50 Chains per Inch.

STATE OF TENNESSEE,
11th District:

By virtue of Entry No. 727, dated 7th November, 1822, founded on certificate No. 2054, dated 23rd March, 1821, issued for 1,436½ acres I have surveyed for the heirs of John Benton and Jesse Benton 1,436½ acres in the 11th District, Ranges 8 and 9, Section 5, on the east side of the Mississippi river, beginning at a sweet gum marked H. J. B. on the east boundary line of Jesse Benton's 434¾ acre entry, 10 chains south of his northeast corner and thence east 130 chains to a white oak marked H. J. B., thence north 110 chains 50 links to a stake 18 links east of a pecan tree marked H. J. B.,
854 thence west 69 chains a bayou or outlet from the river 130 chains to an ash H. J. B., thence south crossing the bayou 110 chains 50 links to the beginning. Surveyed 24th November, 1824. John Ralston, D. S. Granger McDaniel, Thomas Wilson, C. C.

STATE OF TENNESSEE,
Tipton County:

Register's Office, Jany. 11, 1901.

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument is a true and exact copy of the entry of record in Entry Book A, page 109, of my office. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., —— —, 1901.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now, and was at the time of signing the same, Register of said Tipton County, Tenn., and that as said Register he is the official keeper of the record of deeds and other instruments of land titles in said county, and as such Register is authorized by law to make and certify to copies of all instruments recorded in his office, which certified copies are admissible as
855 evidence in all courts of Tennessee, and that his said certificate of attestation is in due form of law and the signature thereto is his true and genuine official signature, and his official acts as such Register are entitled to full faith and credit.

Witness my hand, this 11th day of January, 1901. John Craig, Judge.

STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, Clerk of the County Court of said county, certify that Hon. John Craig, whose genuine official signature appears to the above and hereto annexed certificate, is, and was at the time of signing the same, sole and presiding Judge of the County Court in and for the county and state aforesaid, duly commissioned and qualified, and all his official acts as such are entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court at office in the town of Covington, Tennessee, this 11th day of January, 1901. E. H. Peete, Clerk. (L. S.)

(Cissna vs. Tennessee, 255-256.)

856 EXHIBIT No. 51.

(Filed by Tennessee.)

STATE OF TENNESSEE,
Tipton County:

Scale 200 Poles per Inch.

By virtue of Entry No. 5 founded on claimant No. 3,467 for 253 acres, dated the 1st Sept., 1836, I have surveyed for John Trigg, assignee &c, 253 acres of land in said county, Range 8, Section 5, beginning at the north east corner of Entry No. 1,626 for 256 acres in the name of G. B. Bateman, running thence south with his line 90 poles, Paplies corner, in all 230 poles to an ash on the north line of Entry No. 1,436 acres in the name of J. Benton's heirs, thence east with their line 100 poles to a pecan marked H. J. B., their N. E. corner, thence south with their line 25 poles to an elm and hickory, thence east 170 poles to an elm marked J. T., thence north 65 poles to a willow on the bank of Old River, thence west 30 degrees south 325 poles to the beginning. S. P. Hall, D. S. T. C. Levi Young, Thomas Pounds, C. C.

857 STATE OF TENNESSEE,
Tipton County:

Register's Office, Jany. 10, 1901.

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument is a true and exact copy of an entry found of record in Entry Book A, page 155, of my office. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room,
Covington, Tenn., ——, 1901.

I, John Craig, sole and presiding Judge of the County Court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now, and was at the time of signing the same, Register of said Tipton County, Tennessee, and that as said Register he is the official keeper of the record of deeds and other instruments of land titles in said county, and as such Register is authorized to make and certify to copies of all instruments recorded in his office, which certified copies are admissible as evidence in all courts of Tennessee, and that his said signature of attestation is in due form of law and that the signature thereto is his true and genuine official signature, and his official acts as such Register are entitled to full faith and credit.

Witness my hand, this 11th day of January, 1901. John Craig, Judge.

858 STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, Clerk of the County Court of said county, certify that Hon. John Craig, whose genuine official signature appears to the above and hereto annexed certificate is, and was at the time of signing the same, sole and presiding Judge of the County Court in and for the county and state aforesaid, duly commissioned and qualified, and that all his official acts, as such, are entitlel to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at office, in the town of Covington, Tenn., this 11th day of January, 1901. E. H. Peete, Clerk. (L. S.)

(Cissna vs. Tennessee, 256-257.)

859 EXHIBIT No. 52.

(Filed by Tennessee.)

Copy of Survey.

Filed Dec. 3, 1901.

STATE OF TENNESSEE,
Tipton County:

480
G. Bateman
56 ¼

By virtue of entry No. 152, dated Aug. 9th, 1838, and No. 22 dated Nov. 18, 1845, I have surveyed for Green B. Bateman 56¼ acres of land in said county, range 9, section 5, Beginning 260 poles east of the northwest corner of the heirs of Jesse Benton's entry No.

727 for 1,436½ acres, also the southeast corner of N. Potter's 252 acre entry No. 94 on a sycamore marked G. B. B. on the south bank of the bayou; thence north 53 poles to a stake in the south boundary line of sd. Bateman's 256 acre entry No. 1,626; thence east 170 poles to a stake on the west boundary ling of John Trigg's 252 acre entry; thence south 53 poles to sd. Trigg's south-west corner on the north boundary line of sd. Benton's entry No. 727; thence west 170 poles to the beginning. 44 acres of the above described land is entered by virtue of part of warrant 1,860 issued 15th June, 1785, for 3,840 acres to William Williams, and the balance 12¼ acres by virtue of the 12½ cents as it is commonly called. Surveyed Nov. 19, 18-5. A. W. Smith, Surveyor Tipton County, By A. Jones, D. S. Hosea Bateman, Nicholas Prepon, C. C.

860 STATE OF TENNESSEE,
Tipton County:

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument is a true and exact copy of the survey found recorded in Survey Book A, page 240, in my office. I. R. Calhoun, Register.

STATE OF TENNESSEE,
Tipton County:

County Court Room, Covington, Tenn.

I, John Craig, sole and presiding judge of the county court of said county, certify that I. R. Calhoun, who gave the foregoing certificate of attestation, is now, and was at the time of signing the same, Register of said Tipton County, Tennessee, and as said Register he is the official keeper of the record of deed and other instruments of *and* (land) titles in said county, and as such register is authorized by law to make and certify to copies of all instruments recorded in his office, which certified copies are admissible as evidence in all courts of Tennessee, and that his said certificate of attestation is in due form of law, and his signature thereto is true and genuine official signature, and his official acts as such register are entitled to full faith and credit.

Witness my hand this 5th day of Feby., 1901. John Craig, Judge.

STATE OF TENNESSEE,
Tipton County:

I, E. H. Peete, clerk of the county court of said county, certify that Hon. John Craig, whose genuine official signature ap-
861 pears to the above and hereto annexed certificate is, and was, at the time of signing the same, sole and presiding judge of the county court in and for the county and state aforesaid, duly commissioned and qualified, and that all of his official acts, as such, are entitled to full faith and credit.

In testimony whereof, I have hereunto set my hand and affixed

the seal of said court, at office in the city of Covington, this 5th day of Feb'y., 1901. E. H. Peete, Clerk. (Seal.)

(Cissna vs. Tennessee, 258-259.)

862 EXHIBIT No. 53.

(Filed by Tennessee.)

Entry No. —, by H. W. Stockley, Tipton County.

Certified Copy. Filed Dec. 3d, 1901.

STATE OF TENNESSEE,
Tipton County:

Know all men by these presents, that I, H. W. Stockley, a citizen and resident of Tipton County, Tennessee, by virtue of the payment of the fees of his office to the Entry Taker of Tipton County, Tennessee, and the payment of all other fees to the officers necessary in obtaining a grant from the State of Tennessee and under and by authority of the laws of the State of Tennessee made and provided for the entry and granting of the public lands by the said state to its citizens, have entered and do by these presents do hereby enter in the office of said entry taker of Tipton County, Tennessee, and declare my intention of applying to the State of Tennessee for a grant of the same, the following described tract or parcel of land lying and being in the eleventh civil district in said Tipton County, Tennessee, and more particularly described as follows: Beginning at the northeast corner of grant number 21206, made by the State of Tennessee to Simon Huddleston, for 2,000 acres. The east part of which is now owned by the said H. W. Stockley, and which grant or tract is situated in sections five (5) and six (6), in range nine (9), in the eleventh (11) surveyor's district in said county and state, and which said northeast corner is seventy-eight (78) chains north of the southeast corner of said Huddleston's 2,000 acre
863 tract, and running from said northeast corner thence with said Huddleston's or Stockley's north line, north 41 degrees, west thirty-five (35) chains; thence with said Huddleston's or Stockley's said north line south 82 degrees, west thirty-four (34) chains; thence with said Huddleston's or Stockley's said north line north 71 degrees, west fifteen and thirty-two hundredths (15.32) chains; thence north 8½ degrees, west sixty-six (66) chains to the southeast corner of the (640) acres entry on Island Thirty-seven in the name of N. Potter, now owned by the said H. W. Stockley; thence north fifty-five (55) chains to the northeast corner of the 100 acre entry on Island Thirty-seven in the name of John Trigg; thence east sixty-one (61) chains to the middle or thread of the old main channel of the Mississippi river, and which channel is now dry land and which middle of said old channel of the Mississippi river is the boundary line between the States of Arkansas and Tennessee; thence with said thread of said old river which is the boundary line between said states, south 18 degrees, east seventy-one (71) chains; thence with said middle of said old river with said boundary line, south 31 degrees, east sixty-two (62) chains; thence south 49 degrees, west forty-two chains to the point of beginning, con-

taining one thousand and fifty (1,050) acres of land, more or less. Where said old main channel of the Mississippi is named in said foregoing description of said tract of land, it is meant the old channel of the Mississippi river which was the boundary line between the States of Tennessee and Arkansas as it existed before the Centennial cut-off in 1876, and which said old channel is now filled up and dry land.

In testimony whereof, I have hereunto set my hand on
864 this the 20th day of April, 1901. H. W. Stockley.

STATE OF TENNESSEE,
Tipton County:

I, W. O. Menefee, Entry Taker of Tipton County, Tennessee, hereby acknowledge the receipt from H. W. Stockley of the fees due me as Entry Taker of Tipton County, Tennessee, for making the foregoing entry of the above and therein described tract of land for the said H. W. Stockley, and I certify that said fees have been paid by the said H. W. Stockley and that he, the said H. W. Stockley, has fully complied with all the requirements of law necessary for the valid making of said entry and that the said land is now duly entered in my office by the said H. W. Stockley.

Witness my hand this the 20th day of April, 1901. W. O. Menefee, Entry Taker of Tipton County, Tennessee.

Filed in my office at Covington, Tennessee, April 20th, 1901, at 10:30 a. m. W. O. Menefee, E. T. T. C.

STATE OF TENNESSEE,
Tipton County:

I, I. R. Calhoun, Register of said county, do certify that the foregoing entry and certificate are a true and exact copy of an entry recorded in Entry Book B, in my office. I. R. Calhoun, Register, by K. H. Whitten, D. R.

(Cissna vs. Tennessee, 261-262.)

865 EXHIBIT No. 54.

(Filed by Tennessee.)

Grant No. 17,348, 942 *Acres, Tipton County.*

Filed Dec. 3d, 1901.

No. 17,348.

The State of Tennessee to all to whom these presents shall come, Greeting:

Know ye, That for and in consideration of the fees of office, paid into the office of the entry taker of Tipton County, and entered on the 20th day of April, 1901, pursuant to the provisions of an Act of the General Assembly of said State, passed 2nd day of November, 1847, by No. —, there is granted by the said State of Tennessee, unto H. W. Stockley a certain tract or parcel of land containing 942

acres, by survey bearing date the 10th and 11th days of October, 1901, lying in said county. Beginning at a stake, the N. E. corner of Simon Huddleston's 2,000 acre grant No. 1206; thence north 41 degrees, west following the old bank of the Mississippi River 35 chains; thence south 82 degrees, west 34 chains; thence north 71 degrees, west 15.32 chains; thence leaving old bank and running across the old chute of Island 37 66 chains to a stake near the S. E. corner of a 640 acres in the name of N. Potter; thence north 46.78 chains to the true corner of a 100 acres in the name of John Trigg, which is 5 chains east of the supposed corner and the N. E. corner of said 100 acre tract; thence east 56 chains to the old channel of the Mississippi River (now dry); thence with the supposed old channel of said river, which divides the States of Tennessee and Arkansas,
866 south 14½ degrees, east 60 chains; thence south 38¼ degrees, E. 67.33 chains to a stake; thence south 49 degrees, west, crossing to the old Tennessee bank 42 chains to the beginning.

With the hereditaments and appurtenances. To have and to hold the said tract or parcel of land, with its appurtenances to the said H. W. Stockley and his heirs forever.

In witness whereof, I, Benton McMillan, Governor of the State of Tennessee, ha*th* hereunto set *his* hand and caused the Great Seal of the State to be affixed, at Nashville, on the 26th day of November, in the year of our Lord one thousand nine hundred and one, and of the Independence of the United States one hundred and twenty-sixth. Benton McMillan. By the Governor: Jno. W. Morton, Secretary of State. (L. S.)

STATE OF TENNESSEE,
Tipton County:

Register's Office, Nov. 29, 1901.

I, I. R. Calhoun, Register of said county, do certify that the foregoing instrument was filed in my office at 8:30 o'clock A. M. on the 29th day od Nov., 1901, and entered for registration in Entry Book G, page 162, and together with this and the above certificate is this day duly registered in Book 67 of Deeds, page 480. I. R. Calhoun, Register, By K. H. Whitten, D. R.

Endorsed: Grant No. 17,348. 942 acres. Tipton County.

I certify that H. W. Stockley is entitled to this grant. This Oct. 28th, 1901. Jno. W. Gates, Register Land Office for West Tenn.

867 STATE OF TENNESSEE,
Tipton County:

I certify that the within instrument was filed in my office for registration on the 29th day of Nov., 1901, at 8:30 o'clock A. M., and was recorded in Deed Book No. 69, page No. 450. Register's fee $1.50 P'd. I. R. Calhoun, Register. K. H. Whitten, D. R.
(Cissna v. Tennessee, 263-264.)

519

881

THE

NAVIGATOR;

OR THE

Traders' useful Guide

IN NAVIGATING THE
MONONGAHELA, ALLEGHENY,
OHIO, AND MISSISSIPPI
RIVERS; Zadok Cramer

CONTAINING AN AMPLE ACCOUNT
OF THESE MUCH ADMIRED WATERS,
FROM THE HEAD OF THE FORMER TO THE MOUTH OF THE LATTER;

A CONCISE DESCRIPTION OF THEIR
TOWNS, VILLAGES, HARBOURS, SETTLEMENTS &c

WITH PARTICULAR DIRECTIONS
HOW TO NAVIGATE THEM,
IN ALL STAGES OF THE WATER;

POINTING OUT THEIR
ROCKS, RIPPLES, CHANNEL, ISLANDS,
BLUFFS, CREEKS, RIVERS, &c.
AND THE DISTANCES FROM PLACE TO PLACE

ILLUSTRATED WITH THIRTEEN ACCURATE MAPS OF THE MISSISSIPPI, AND ONE OF PITTSBURGH;

THE FIFTH EDITION, MUCH IMPROVED AND ENLARGED.

TO WHICH IS ADDED,
AN ACCOUNT OF LOUISIANA;
AND A NOTICE OF THE
MINES, MINERALS, NATURAL CURIOSITIES, &c

COPY RIGHT SECURED ACCORDING TO LAW.

PITTSBURGH:
FROM THE PRESS OF ZADOK CRAMER
1806.

520

882

Cash island and two bars, 7|1012.

This island is on the left shore, the bars are on the right of it, the one runs down pretty close to the island, the other near the right shore, channel about mid way between the bars, until you are half way down the island, then bear to the left, to clear a shoal lying to the right. This is the last island in the Ohio, and from thence you have good navigable water to the Mississippi, which you enter nearly in a S. E. direction.

Mouth of Ohio, 7|1023

OF THE MISSISSIPPI.

ITS CHANNEL, ISLANDS, BARS, PORTS, BATOUS, RIVERS, CREEKS, SETTLEMENTS, &c.

And distances from place to place.

☞ IT will be noticed by the navigator that we have uniformly made use of the expressions *right or left shore*, instead of saying north or south, or N. W. and S. E. which we deem not so correct or intelligible as the former method, owing to the crookedness of the rivers, which very often change their direction of running, so much indeed, that sometimes you seem to be returning back again, instead of going to New-Orleans, this is especially the case with the Mississippi, which we now enter, and commence the directions for navigating this noble river.

We have distinguished the principal islands by numbers, with such descriptions to point them out as cannot easily be mistaken, and by recurring to the MAPS, you will see their numbers, and how situated, in which they are represented by white spots, the sand-bars less white and cross-barred, and the channel by a white double line.

The navigator will also take notice that we have measured the distance from the foot of one island, bar, &c. to the head of another, which we have added to the length of the island, bar, or settlement, and carried it out to the column of totals on the right of the page, in order to make out the general distances as correct as possible; in this method we may have committed many errors, which we wish to be corrected by the candid and experienced navigator.

521

POOR COPY

883

the foot of a horse scarcely makes any impression upon it; and that after a rain-fall and then a warm sun, there is seen on the surface a fine and beautiful salt, as fine as the finest used on tables; that the Indians scrape this up for their own use with their hands or the wing of a turkey. This gentleman had different specimens of the salt of that country with him, which he intended presenting to the president of the United States, and to Congress now in session.

The same gentleman observed, that a considerable distance back of St. Louis there is a large parcel or body of both animal and human bones, mixed altogether promiscuously over a space of ground of 300 yards, some lying, and others sticking up; that a large tooth found here had been presented to the Baron Carondelet, while in that country, who pronounced it to be the tooth of an elephant.

FINIS.

ERRATA.

Page 22—Bridgeport is in a different township to that of Brownsville, therefore considered as detached from it.

Page 30—First island below Beaver, read, "channel left side," instead of right.

Page 30—Dead Man's Ripple, read, "the channel past the island is on the right side, about two-thirds over from the right shore, until you get better than half way down the island, then bear over towards the right shore, and keep pretty near it until you are below the second house which stands on the same bank a little below the foot of the island."

Page 31—Grape island, read, "channel on the left side pretty close to the head of the island, until you get opposite the first trees on it, thence must chute over to the left shore and keep close to it until you get below the point, thence in the middle of the river."

Page 45—But about 60 miles from the Red Banks on the Ohio to St. Vincennes, direct.

Page 48—Island No. 10 is called by some "Little Point Coupee island."

Page 54—Island 36, some navigators prefer the right side of this island, as being much the nearest and now perfectly safe. This channel was cleared of sawyers and snags by a late fresh. When you approach No. 37, two miles below 36, pull over to the left side leaving it to the right; here you must pull hard or you may be driven by the velocity of the current on the head of that island.